

**OFFICIAL STATEMENT DATED MAY 17, 2005**

**NEW ISSUE: BOOK-ENTRY ONLY**

**Fitch Ratings: AAA**  
**Moody's Investors Service: Aaa**  
**Standard and Poor's: AAA**  
**(See "Ratings")**

**\$200,000,000**  
**MONTGOMERY COUNTY, MARYLAND**  
**General Obligation Bonds**  
**Consolidated Public Improvement Bonds of 2005, Series A**

**Dated: May 15, 2005**

**Due: As shown on inside front cover**

The \$200,000,000 Montgomery County, Maryland Consolidated Public Improvement Bonds of 2005, Series A (the "Bonds") are issuable by Montgomery County, Maryland (the "County") in fully registered form in the denomination of \$5,000 or any integral multiple thereof.

The Bonds will bear interest from May 15, 2005, payable December 1, 2005 (six and one-half months), and semi-annually thereafter on June 1 and December 1 until maturity or earlier redemption. The County will perform the paying agency and registrar services described in this Official Statement; provided that if the book-entry only system is discontinued, the County will appoint a financial institution to perform such services on its behalf (the County and any paying agent/registrar subsequently appointed are hereinafter collectively referred to as the "Paying Agent/Registrar"). Except as otherwise governed by the procedures of The Depository Trust Company, New York, New York ("DTC"), principal of and premium, if any, on the Bonds will be payable to the registered holder when due upon presentation to the Paying Agent/Registrar.

The Bonds are available only in global book-entry form, registered in the name of Cede & Co., as nominee of DTC, acting as securities depository for the Bonds. So long as the Bonds are registered in the name of Cede & Co., payment of the principal of, premium, if any, and interest on the Bonds will be made by the County to DTC. DTC is required to remit such payments to DTC participants, who are required in turn to remit such payments to beneficial owners, as described in this Official Statement. **Purchasers of the Bonds will not receive certificates representing their ownership interest in the Bonds.**

The Bonds maturing on or after June 1, 2016 are subject to redemption at the option of the County, prior to their stated maturities. (See "THE BONDS - Redemption Provisions" herein).

In the opinion of Bond Counsel, assuming continuous compliance with certain covenants in the Tax Certificate and Compliance Agreement to be executed and delivered by the County on the date of delivery of the Bonds, and subject to the conditions stated herein under "Tax Exemptions," under existing law, (a) the interest on the Bonds is excludable from gross income for Federal income tax purposes, and (b) the interest on the Bonds is not an enumerated preference or adjustment for purposes of the Federal alternative minimum tax imposed on individuals and corporations; however, such interest will be taken into account in determining adjusted current earnings for the purpose of computing the alternative minimum tax imposed on corporations, and may be subject to the branch profits tax imposed on foreign corporations engaged in a trade or business in the United States. As described herein under "Tax Exemptions," other Federal income tax consequences may arise from ownership of the Bonds. It is also the opinion of Bond Counsel that, under existing law of the State of Maryland, the interest on the Bonds and profit realized from the sale or exchange of the Bonds is exempt from income taxation by the State of Maryland or by any of its political subdivisions; however, the law of the State of Maryland does not expressly refer to, and no opinion is expressed concerning, estate or inheritance taxes or any other taxes not levied directly on the Bonds or the interest thereon.

**DELIVERY:**

The Bonds are offered for delivery when, as and if issued, subject to the approving legal opinion of Venable LLP, Baltimore, Maryland, Bond Counsel, and other conditions specified in the official Notice of Sale for the Bonds. It is expected that the Bonds in definitive form will be available for delivery through DTC in New York, New York, on or about May 26, 2005.

The date of this Official Statement is May 17, 2005.

*THIS COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. IT IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE OFFICIAL STATEMENT TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION.*

## Maturity Schedule

### \$200,000,000 Consolidated Public Improvement Bonds of 2005, Series A

<b><u>Maturity</u></b> <b><u>June 1,</u></b>	<b><u>Amount</u></b>	<b><u>Rate</u></b>	<b><u>Yield</u></b>	<b><u>CUSIP</u></b>
2006	\$10,000,000	4.000%	2.670%	613340A99
2007	10,000,000	5.000%	2.710%	613340B23
2008	10,000,000	5.000%	2.800%	613340B31
2009	10,000,000	5.000%	2.920%	613340B49
2010	10,000,000	5.000%	3.030%	613340B56
2011	10,000,000	5.000%	3.160%	613340B64
2012	10,000,000	5.000%	3.250%	613340B72
2013	10,000,000	5.000%	3.350%	613340B80
2014	10,000,000	5.000%	3.440%	613340B98
2015	10,000,000	5.000%	3.530%	613340C22
2016	10,000,000	4.000%	3.610%	613340C30
2017	10,000,000	4.000%	3.680%	613340C48
2018	10,000,000	4.000%	3.740%	613340C55
2019	10,000,000	4.000%	3.850%	613340C63
2020	10,000,000	5.000%	3.840%	613340C71
2021	10,000,000	5.000%	3.900%	613340C89
2022	10,000,000	5.000%	3.940%	613340C97
2023	10,000,000	5.000%	3.970%	613340D21
2024	10,000,000	5.000%	4.020%	613340D39
2025	10,000,000	5.000%	4.070%	613340D47

**(Accrued interest from May 15, 2005 to be added)**

The rates shown above are the interest rates payable by the County resulting from the successful bid for the Bonds by a group of banks and investment banking firms at public sale on May 17, 2005. The yields or prices shown above were furnished by the successful bidders. Any additional information concerning the reoffering of the Bonds should be obtained from the successful bidders and not from the County.

**OFFICIAL STATEMENT DATED MAY 17, 2005**

**\$200,000,000  
MONTGOMERY COUNTY, MARYLAND  
General Obligation Bonds  
Consolidated Public Improvement Bonds of 2005, Series A**



No dealer, broker, salesperson or other person has been authorized by the County to give any information or to make any representations concerning the County or its general obligation bonds, other than those contained in this Official Statement, and if given or made, such other information or representations must not be relied upon as having been authorized by the County. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the general obligation bonds described herein by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale.

**TABLE OF CONTENTS**

OFFICIAL ROSTER OF COUNTY OFFICIALS ....ii	SELECTED DEBT AND FINANCIAL
INTRODUCTION TO THE OFFICIAL	SCHEDULES..... 9
STATEMENT .....1	AUTHORIZATION OF OFFICIAL STATEMENT... 16
DESCRIPTION OF THE BONDS.....2	
Purpose of the Bonds .....2	Appendix A – Information About the County as of
Security for the Bonds .....3	January 13, 2005
Authority for the Bonds .....3	
Redemption Provisions .....3	Appendix B – Basic Financial Statements for the year
Book-Entry Only System.....4	ending June 30, 2004
TAX EXEMPTIONS.....5	
CONTINUING DISCLOSURE UNDERTAKING ....7	Appendix C – Draft Approving Opinion of Bond
LEGALITY OF THE BONDS.....7	Counsel
LITIGATION .....7	
RATINGS.....8	Appendix D – Proposed Form of Continuing
INDEPENDENT PUBLIC ACCOUNTANTS .....8	Disclosure Agreement
CERTIFICATE OF COUNTY OFFICIALS.....8	
INFORMATION IN OFFICIAL STATEMENT .....8	

**MONTGOMERY COUNTY, MARYLAND  
OFFICIAL ROSTER OF COUNTY OFFICIALS**

**COUNTY EXECUTIVE**

Douglas M. Duncan

**COUNTY COUNCIL**

Thomas Perez	<i>President</i>
George Leventhal	<i>Vice President</i>
Phil Andrews	
Howard A. Denis	
Nancy Floreen	
Michael Knapp	
Marilyn J. Praisner	
Steven Silverman	
Michael L. Subin	

The terms of the County Executive and all County Council members expire in December 2006.

**APPOINTED OFFICIALS**

Bruce Romer	<i>Chief Administrative Officer</i>
Timothy L. Firestine	<i>Director, Department of Finance</i>
Beverley Swaim-Staley	<i>Director, Office of Management and Budget</i>
Charles W. Thompson, Jr.	<i>County Attorney</i>
Linda M. Lauer	<i>Clerk of the Council</i>

**BOND COUNSEL**

Venable LLP  
Baltimore, Maryland

**INDEPENDENT PUBLIC ACCOUNTANTS**

KPMG, LLP  
Washington, D.C.

**DEBT MANAGEMENT AND DISCLOSURE INFORMATION**

Montgomery County Department of Finance  
101 Monroe Street  
Rockville, MD 20850  
240/777-8860  
240/777-8857 (Fax)  
<http://bonds.montgomerycountymd.gov>

## **INTRODUCTION TO THE OFFICIAL STATEMENT**

*The following information is qualified in its entirety by the detailed information contained in this Official Statement. This summary is only a brief description of the offering and potential investors should review this entire Official Statement. The Official Statement speaks only as of its date, and the information contained herein is subject to change.*

<b>Issuer:</b>	Montgomery County, Maryland
<b>Issue:</b>	\$200,000,000 Consolidated Public Improvement Bonds of 2005, Series A (the "Bonds").
<b>Dated Date:</b>	May 15, 2005.
<b>Security:</b>	The Bonds will be general obligation bonds to which the full faith and credit and unlimited taxing power of the County will be pledged.
<b>Purpose:</b>	The proceeds of the Bonds will be used to provide permanent financing for capital construction projects in the County as described herein. (See "DESCRIPTION OF THE BONDS - Purpose").
<b>Authority of Issuance:</b>	The Bonds are issued under the provisions of the Montgomery County Charter, certain Laws of Montgomery County, as amended, and Orders of the County Executive of Montgomery County, Maryland, passed as of May 15, 2005, as supplemented.
<b>Redemption:</b>	The Bonds maturing on or after June 1, 2016, are subject to redemption at par beginning June 1, 2015, as a whole or in part at any time thereafter. (See "DESCRIPTION OF THE BONDS - Redemption Provisions").
<b>Denominations:</b>	\$5,000 or integral multiples thereof.
<b>Paying Agent/Registrar:</b>	The County will perform the paying agency and registrar services described in this Official Statement; provided that, if the book-entry only system is discontinued, the County will appoint a financial institution to perform such services on its behalf (the County and any paying agent/registrar subsequently appointed are hereinafter collectively referred to as the "Paying Agent/Registrar").
<b>Principal Payments:</b>	Annually, June 1, 2006-2025.
<b>Interest Payments:</b>	Payable on December 1, 2005 (six and one-half months), and semi-annually thereafter on June 1 and December 1 until maturity or earlier redemption.
<b>Tax Status:</b>	Generally exempt from federal and Maryland income taxes (see "THE BONDS - Tax Exemptions").
<b>Book-Entry Only:</b>	The Bonds will be issued as book-entry only securities through The Depository Trust Company, New York, New York.

**Professional Consultants:** *Bond Counsel:* Venable LLP  
Baltimore, Maryland

*Independent  
Public Accountants:* KPMG, LLP  
Washington, DC

**Delivery:** Delivery of the Bonds is expected on or about May 26, 2005 at the Depository Trust Company, New York, New York, on behalf of the purchaser of the Bonds.

**Limitations on Offering or  
Reoffering Securities:**

No dealer, broker, salesperson or other person has been authorized by the County to give any information or to make any representations other than those contained in the Official Statement and, if given or made, such information and representations must not be relied upon as having been authorized by the County. This Official Statement does not constitute an offer to sell or solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale.

**Litigation:** There is no litigation now pending or, to the knowledge of County officials, threatened which questions the validity of the Bonds or of any proceedings of the County taken with respect to the issuance or sale thereof.

**Continuing Disclosure:** The County will covenant to provide continuing disclosure.

*Additional details concerning the sale of the Bonds are contained in Executive Orders of the County Executive of Montgomery County, Maryland, passed as of May 15, 2005, as supplemented, copies of which can be obtained as described herein under the caption "INFORMATION IN OFFICIAL STATEMENT".*

*In order to enable participating underwriters, as defined in Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12" or "Rule"), to comply with the requirements of paragraph (b) (5) of Rule 15c2-12, the County will execute and deliver a Continuing Disclosure Agreement on or before the date of issuance and delivery of the Bonds, the form of which is attached to this Official Statement as Appendix D. See "CONTINUING DISCLOSURE UNDERTAKING."*

*This Official Statement is in a form deemed final as of its date for purposes of Rule 15c2-12.*

*The information set forth herein has been obtained from the County and other sources which are believed to be reliable. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made thereafter shall, under any circumstances, create any implication that there has been no change in the affairs of the County or in any other information contained herein, since the date hereof.*

*Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are set forth as such and are not representations of fact, and no representation is made that any of the estimates will be realized.*

## **DESCRIPTION OF THE BONDS**

### ***Purpose of the Bonds***

The proceeds of the Bonds will be used to finance the acquisition, construction and equipping of certain public facilities (the "Consolidated Public Improvement Projects"). Substantially all of the proceeds of the Bonds will be used to pay at maturity a portion of the County's Consolidated Commercial Paper Bond Anticipation Notes, 2002 Series.

The proceeds of the sale of the Bonds will be used to provide permanent financing of the Consolidated Public Improvement Projects as follows: General County (\$60,400,000), to construct, renovate or replace public libraries, fire, police, and other public safety facilities, County-owned office space, parks, and County-owned recreation facilities, to include site preparation; Road and Storm Drainage (\$57,100,000), to construct, reconstruct and widen state and county roads and bridges and storm drainage facilities; Public Schools and Community College (\$81,300,000), to construct new elementary and secondary public schools or additions to existing public school buildings, to perform scheduled renovations of existing schools, and to renovate existing community college campus buildings and facilities to include modification for energy efficiency and handicapped access; and Mass Transit Facilities (\$1,200,000), to construct equipment maintenance and operation facilities, certain commuter parking facilities and stations, and to pay contributions under agreements with the Washington Suburban Transit District.

### ***Security for the Bonds***

The Bonds are general obligation bonds of the County and constitute an irrevocable pledge of its full faith and credit and unlimited taxing power. Such bonds are payable from ad valorem taxes, unlimited as to rate or amount, on all real, tangible personal and certain intangible property subject to taxation at full rates for local purposes in the County.

Additionally, Section 312 of the Charter of Montgomery County, Maryland provides as follows: “...If at any time the Council shall have failed to appropriate and to make available sufficient funds to provide for the timely payment of the interest and principal then due upon all County indebtedness, it shall be the duty of the Director of Finance to pay, or to make available for payment, to the holders of such indebtedness from the first revenues thereafter received applicable to the general funds of the County, a sum equal to such interest and principal.”

### ***Authority for the Bonds***

The Bonds are consolidated pursuant to a Resolution of the County Council for Montgomery County, Maryland (the “County Council”), adopted on July 27, 2004, and effective on August 9, 2004, in accordance with the provisions of Section 2C of Article 31 of the Annotated Code of Maryland (2003 Replacement Volume and 2004 Cumulative Supplement).

The Bonds are issued under the provisions of the Montgomery County Charter, Chapter 9 of the Laws of Montgomery County 1955, as amended, Chapter 22 of the Laws of Montgomery County 2000, Chapter 17 of the Laws of Montgomery County 2001, and Chapter 21 of the Laws of Montgomery County 2002, and are authorized to be issued by Orders of the County Executive of Montgomery County, Maryland, passed as of May 15, 2005, as supplemented.

### ***Redemption Provisions***

The Bonds which mature on or before June 1, 2015, are not subject to redemption prior to their respective maturities. The Bonds which mature on or after June 1, 2016, are subject to redemption beginning June 1, 2015, as a whole or in part at any time thereafter, in any order of their maturities, at the option of the County, at a redemption price for each bond equal to the principal amount of the bond to be redeemed, together with interest accrued to the date fixed for redemption, without premium.

If less than all of the Bonds of any one maturity are called for redemption, the particular bonds, or portions of such bonds, to be redeemed from such maturity shall be selected by the Director of Finance of the County, acting as bond registrar and paying agent for the Bonds, or his successor as bond registrar and paying agent (the “Bond Registrar/Paying Agent”) by lot or other random means in such manner as the Bond Registrar/Paying Agent in its sole discretion may determine, except that so long as DTC or its nominee is the sole registered owner of the Bonds, the particular bonds or portion to be redeemed shall be selected by DTC, in such manner as DTC shall determine. Each \$5,000 portion of a bond shall be treated as a separate bond in the selection of Bonds to be redeemed.

If the County elects to redeem all or a portion of the Bonds outstanding, it shall give a redemption notice to the registered owners of the Bonds to be redeemed by publication at least once, at least thirty (30) days prior to the date of redemption, in a newspaper of general circulation in the County and also in a financial newspaper or journal circulating in the City of New York, New York. The County shall also give a redemption notice by letter mailed first class, postage prepaid, to the registered owners of the Bonds to be redeemed at their last addresses appearing on the registration books maintained by the Bond Registrar/Paying Agent; provided, however, that so long as DTC or its nominee is the sole registered owner of the Bonds, any redemption notice will be given only to DTC. The failure to mail such notice with respect to a particular bond or any defect in such notice, or in the mailing thereof, shall not affect the sufficiency of proceedings for the redemption of any other bond. From and after the date fixed for redemption, if notice has been duly and properly given and if funds sufficient for the payment of the redemption price and accrued interest are available on such date, the Bonds designated for redemption shall cease to bear interest.

Notwithstanding the foregoing, so long as the Bonds are maintained under a book-entry system, selection of the Bonds to be redeemed shall be made in the manner described below under “BOOK-ENTRY ONLY SYSTEM” and notice of redemption shall be mailed only to DTC.

### ***Book-Entry Only System***

*The information contained in the following paragraphs of this subsection “Book-Entry Only System” has been extracted from a schedule prepared by Depository Trust Company (“DTC”) entitled “SAMPLE OFFERING DOCUMENT LANGUAGE DESCRIBING BOOK-ENTRY ONLY ISSUANCE.” The County makes no representation as to the completeness or the accuracy of such information or as to the absence of material adverse changes in such information subsequent to the date hereof.*

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee). One fully-registered certificate will be issued for each annual maturity of the Bonds, each in the aggregate principal amount of such annual maturity, and such certificates will be deposited with DTC.

DTC is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds securities that its participants (“Participants”) deposit with DTC. DTC also facilitates the settlement among Participants of securities transactions, such as transfers and pledges, in deposited securities through electronic computerized book-entry changes in Participants’ accounts, thereby eliminating the need for physical movement of securities certificates. Direct Participants include securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations (“Direct Participants”). DTC is owned by a number of its Direct Participants and by the New York Stock Exchange, Inc., the American Stock Exchange, Inc., and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as securities brokers and dealers, banks, and trust companies that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). The Rules applicable to DTC and its Participants are on file with the Securities and Exchange Commission.

Purchases of securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase, but Beneficial Owners are expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.



To facilitate subsequent transfers, all Bonds deposited by Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. The deposit of Bonds with DTC and their registration in the name of Cede & Co. effect no change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to Cede & Co. If less than all of the Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such maturity to be redeemed.

Neither DTC or Cede & Co. will consent or vote with respect to Bonds. Under its usual procedures, DTC mails an Omnibus Proxy to the County as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal and interest payments on the Bonds will be made to DTC. DTC's practice is to credit Direct Participants' accounts on the payable date in accordance with their respective holdings shown on DTC's records unless DTC has reason to believe that it will not receive payment on the payable date. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC or the Paying Agent/Registrar, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal and interest to DTC is the responsibility of the County or the Paying Agent/Registrar, disbursements of such payments to Direct Participants shall be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners shall be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the County or the Paying Agent/Registrar. Under such circumstances, in the event that a successor securities depository is not obtained, bond certificates are required to be printed and delivered.

The County may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, bond certificates will be printed and delivered.

NEITHER THE COUNTY, NOR THE PAYING AGENT/REGISTRAR, WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO PARTICIPANTS, TO INDIRECT PARTICIPANTS OR TO ANY BENEFICIAL OWNER WITH RESPECT TO 1) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC, ANY DTC PARTICIPANT OR ANY INDIRECT PARTICIPANT; 2) THE PAYMENT BY DTC, ANY DTC PARTICIPANT OR ANY INDIRECT PARTICIPANT OF ANY AMOUNT WITH RESPECT TO THE PRINCIPAL OF, PREMIUM, IF ANY, OR INTEREST ON THE BONDS; 3) ANY NOTICE WHICH IS PERMITTED OR REQUIRED TO BE GIVEN TO BONDHOLDERS; 4) ANY CONSENT GIVEN BY DTC OR OTHER ACTION TAKEN BY DTC AS BONDHOLDER; OR 5) THE SELECTION BY DTC, ANY DTC PARTICIPANT OR ANY INDIRECT PARTICIPANT OF ANY BENEFICIAL OWNER TO RECEIVE PAYMENT IN THE EVENT OF A PARTIAL REDEMPTION OF BONDS.

### **TAX EXEMPTIONS**

In the opinion of Bond Counsel, under existing law, the interest on the Bonds (a) is excludable from gross income for Federal income tax purposes, and (b) is not an enumerated preference or adjustment for purposes of the Federal alternative minimum tax imposed on individuals and corporations; however, such interest will be taken into account in determining adjusted current earnings for the purpose of computing the alternative minimum tax imposed on

corporations, and may be subject to the branch profits tax imposed on foreign corporations engaged in a trade or business in the United States.

Under the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), there are certain requirements that must be met subsequent to the issuance of the Bonds in order for the interest on the Bonds to remain excludable from gross income for Federal income tax purposes, including restrictions that must be complied with throughout the term of the Bonds. Such restrictions include, among other things, limitations on the yield of investments acquired with gross proceeds of the Bonds and the periodic payment to the United States of specified portions of arbitrage profit derived from such investments.

In order to comply with the requirements of the Code, the County will execute and deliver a Tax Certificate and Compliance Agreement (“Tax Agreement”) on the date of delivery of the Bonds. The covenants and agreements in the Tax Agreement are designed to satisfy the requirements of Section 103 and Sections 141 through 150, inclusive, of the Code, and the income tax regulations issued thereunder. In the opinion of Bond Counsel, the covenants and agreements in the Tax Agreement are sufficient to meet the requirements (to the extent applicable to the Bonds) of Section 103 and Sections 141 through 150 of the Code. However, Bond Counsel assumes no responsibility for, and will not monitor, compliance with the covenants and agreements in the Tax Agreement. In the event of noncompliance with such covenants and agreements, the available enforcement remedies may be limited by applicable provisions of law and, therefore, may not be adequate to prevent interest on the Bonds from becoming includable in gross income for Federal income tax purposes.

Under the Code, in calculating corporate alternative minimum tax, a corporation is required to increase its alternative minimum taxable income by 75 percent of the amount by which its “adjusted current earnings” exceed its alternative minimum taxable income (computed without regard to this current earnings adjustment and the alternative tax net operating loss deduction). For this purpose, “adjusted current earnings” would include, among other items, interest on the Bonds. In addition, the Code imposes a branch-level tax on certain earnings and profits of foreign corporations operating branches in the United States, and such earnings and profits would include interest on the Bonds.

Other Federal income tax consequences may arise from ownership of the Bonds, and in connection therewith, attention is directed to the following provisions of the Code: (a) Section 265 of the Code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the Bonds or, in the case of a financial institution, that portion of a holder’s interest expense allocated to interest on the Bonds, (b) with respect to insurance companies subject to the tax imposed by Section 831 of the Code, Section 832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the Bonds, (c) Section 86 of the Code requires recipients of certain Social Security and certain Railroad Retirement benefits to take into account, in determining gross income, receipts or accruals of interest on obligations such as the Bonds, and (d) for S corporations having subchapter C earnings and profits, the receipt of certain amounts of passive investment income, which includes interest on the Bonds, may result in the imposition of income tax on such passive investment income and, in some cases, loss of S corporation status. The foregoing is only a general summary of certain provisions of the Code and does not purport to be complete; prospective purchasers and holders of the Bonds should consult their own tax advisors as to the effects, if any, of the Code in their particular circumstances.

The initial public offering price of some of the Bonds may be less than the amount payable on those Bonds at maturity. The excess, if any, of the amount payable at maturity of a Bond over the initial public offering price (plus accrued interest from May 15, 2005, to the date of initial delivery of the Bond) at which a substantial amount of the same maturity of the Bonds was sold constitutes original issue discount for Federal income tax purposes (“OID”). The full amount of OID will accrue over the term of a Bond in accordance with a constant yield method (using semi-annual compounding) which allocates smaller portions of OID to earlier semi-annual compounding periods and larger portions of OID to later semi-annual compounding periods. In the case of an original or a subsequent holder of a Bond, the amount of OID which is treated as having accrued with respect to such Bond during the period that the holder has held it (a) is not included in the gross income of the holder for Federal income tax purposes, and (b) is included in the cost basis of the holder in determining, for Federal income tax purposes, gain or loss upon its disposition (including its sale, redemption or payment at maturity). Holders of Bonds should consult their tax advisors with respect to the determination, for Federal income tax purposes, of OID accrued upon the sale, redemption or payment at maturity of such Bonds.

A Bond will be considered to have been issued at a premium if, and to the extent that, the holder's tax basis in the Bond exceeds the amount payable at maturity (or, in the case of a Bond callable prior to maturity, the amount payable on the earlier call date). The holder will be required to reduce his tax basis in the Bond for purposes of determining gain or loss upon disposition of the Bond by the amount of amortizable bond premium that accrues (determined on a constant yield method) during the period of ownership. No deduction (or other tax benefit) is allowable in respect of any amount of amortizable bond premium on the Bonds.

Prospective purchasers of the Bonds should consider possible state and local, excise, or franchise tax consequences arising from OID on the Bonds. In addition, prospective corporate purchasers of the Bonds should consider possible Federal income tax consequences arising from OID on the Bonds under the alternative minimum tax and the branch profits tax described above.

Legislative proposals presently before Congress or that are introduced after issuance and delivery of the Bonds, if enacted, could alter or amend one or more of the Federal tax matters referred to above and/or adversely affect the market value of the Bonds. It cannot be predicted whether or in what form any such proposal may be enacted, and there can be no assurance that any such proposal would not apply to obligations issued prior to the enactment of such proposal. Accordingly, prospective purchasers of the Bonds should consult with their tax advisors as to the status and potential effect of such proposals.

In the opinion of Bond Counsel, under existing law of the State of Maryland, the interest on the Bonds and the profit realized from the sale or exchange of the Bonds is exempt from income taxation by the State of Maryland or by any of its political subdivisions; however, the law of the State of Maryland does not expressly refer to, and no opinion is expressed concerning, estate or inheritance taxes or any other taxes not levied directly on the Bonds or the interest thereon.

### **CONTINUING DISCLOSURE UNDERTAKING**

In order to enable participating underwriters, as defined in Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") to comply with the requirements of paragraph (b)(5) of Rule 15c2-12, the County will execute and deliver a continuing disclosure agreement (the "Continuing Disclosure Agreement") on or before the date of issuance and delivery of the Bonds, the form of which is attached to this Official Statement as Appendix D. Potential purchasers of the Bonds should note that the definition of Reportable Events in Appendix D is intended to completely restate the events specified in Rule 15c2-12. It is noted that certain Reportable Events are expected to have no applicability to the Bonds, such as the possibility of unscheduled draws on debt service reserves and matters affecting collateral for the Bonds.

The County has not failed to comply with any prior continuing disclosure undertaking made pursuant to Rule 15c2-12.

### **LEGALITY OF THE BONDS**

The authorization, sale, issuance and delivery of the Bonds will be subject to legal approval by Venable LLP, of Baltimore, Maryland, Bond Counsel, and a copy of their unqualified approving legal opinion with respect to the Bonds will be delivered upon request, without charge, to the successful bidders for the Bonds. The opinion is expected to be substantially in the form of the draft opinion attached to this Official Statement as Appendix C.

### **LITIGATION**

The County is currently processing numerous claims for damages and is also a defendant in a number of lawsuits which are expected to be paid, when applicable, through its self-insurance program. Management and legal counsel believe that the self-insurance program is adequately funded to cover such claims and lawsuits to be paid out of the program. In addition to those suits in which claims for liability are adequately covered by insurance, the County is a defendant in various suits involving tort claims, violations of civil rights, breach of contract, inverse condemnation,

and other suits and actions arising in the normal course of business. In the opinion of the County Attorney, the estimated liability of the County in the resolution of these cases, as to which an unfavorable outcome is deemed reasonably possible, will not exceed \$18,006,600, and it appears that, of this amount, the County will not incur any liability on certain claims, as to which an unfavorable outcome is deemed probable. However, in any event, none of such claims and suits will materially affect the County's ability to perform its obligations to the holders of its bonds.

## **RATINGS**

Fitch Ratings, Moody's Investors Service, Inc., and Standard & Poor's Rating Group have given the bonds the respective ratings indicated on the cover page of this Official Statement. A rating reflects only the view of the rating organization and explanations of the significance of such rating may be obtained from the rating agency furnishing the same. There is no assurance that such rating will continue for any given period of time or that it will not be revised downward or withdrawn entirely by such rating agency if, in the judgment of such rating agency, circumstances so warrant. Any such downward revision or withdrawal of such rating may have an adverse effect on the market price of the Bonds.

## **INDEPENDENT PUBLIC ACCOUNTANTS**

The audited basic financial statements of the County included in Appendix B to this Official Statement have been audited by KPMG LLP (KPMG), independent public accountants, as indicated in their report with respect thereto. In that report, KPMG states that with respect to certain of the County's component units, its opinion is based on the reports of other independent public accountants. The report of KPMG also contains an explanatory paragraph which states that KPMG did not audit certain identified supplementary information and expressed no opinion thereon. Such audited basic financial statements have been included in reliance upon the qualification of said firm to issue said report.

## **CERTIFICATE OF COUNTY OFFICIALS**

The Chief Administrative Officer and the Director of Finance of the County will furnish a certificate to the successful bidders for the Bonds to the effect that, to the best of their knowledge and belief, this Official Statement, as of the date of sale and the date of delivery of the Bonds, is true and correct in all material respects and does not contain an untrue statement of a material fact or omit to state a material fact, required to be stated or necessary to be stated, to make such statements, in the light of the circumstances under which they were made, not misleading.

## **INFORMATION IN OFFICIAL STATEMENT**

All quotations, summaries and explanations in this Official Statement of State and County laws and the Montgomery County Charter do not purport to be complete and reference is made to pertinent provisions of the same for complete statements. Any estimates or opinions herein, whether or not expressly so stated, are intended as such and not as representations of fact. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the County since the date as of which such information is stated or the date hereof. This Official Statement shall not be construed as part of any contract between the County and the purchasers or holders of its bonds. The County has been advised by Venable LLP, of Baltimore, Maryland, Bond Counsel, in connection with legal statements contained in this Official Statement; however, Bond Counsel has not passed upon or assumed responsibility for the accuracy of the financial statements and economic data contained herein.

Any questions regarding this Official Statement or the Bonds should be directed to Mr. Timothy L. Firestone, Director, Department of Finance, Montgomery County, Maryland, 101 Monroe Street, 15th floor, Rockville, Maryland 20850, Telephone: (240) 777-8860.

## **SELECTED DEBT AND FINANCIAL SCHEDULES**

Tables 1 through 7 presented on the following pages have been updated to reflect the effect of the Proposed Bonds, or to provide current information on Montgomery County's financial position. For more information on the County, and a complete overview of the County's debt, please see Appendix A, "INFORMATION ABOUT THE COUNTY AS OF JANUARY 13, 2005" and Appendix B, "BASIC FINANCIAL STATEMENTS FOR THE YEAR ENDING JUNE 30, 2004."

*(The remainder of this page has been left blank intentionally.)*

**Table 1**  
**Statement of Direct and Overlapping Debt**  
**As of March 31, 2005**  
**and Including Proposed Bonds**

Direct Debt:		
General Obligation Bonds Outstanding	\$1,261,833,054	
Proposed General Obligation Bonds	200,000,000	
Short-Term BANs/Commercial Paper Outstanding*	--	
Long-Term Notes Payable	1,216,644	
Revenue Bonds Outstanding	<u>70,915,000</u>	
Total Direct Debt		\$1,533,964,698
Overlapping Debt (as of June 30, 2004):		
Gross Debt:		
Washington Suburban Sanitary Commission		
Applicable to Montgomery County	1,007,358,466	
Housing Opportunities Commission	623,452,969	
Montgomery County Revenue Authority	74,975,000	
Maryland-National Capital Park and Planning Commission		
Applicable to Montgomery County	46,988,885	
Kingsview Village Center Development District	2,345,000	
West Germantown Development District	15,835,000	
Towns, Cities and Villages within Montgomery County	<u>73,168,222</u>	
Total Overlapping Debt		<u>1,844,123,542</u>
Total Direct and Overlapping Debt		3,378,088,240
Less Self-Supporting Debt:		
County Government Revenue Bonds	70,915,000	
Washington Suburban Sanitary Commission		
Applicable to Montgomery County (as of June 30, 2004)	1,007,358,466	
Housing Opportunities Commission (as of June 30, 2004)	623,452,969	
Montgomery County Revenue Authority (as of June 30, 2004)	74,975,000	
Maryland-National Capital Park and Planning Commission		
Applicable to Montgomery County (as of June 30, 2004)	<u>13,353,885</u>	
Total Self-Supporting Debt		<u>(1,790,055,320)</u>
Net Direct and Overlapping Debt		<u>\$1,588,032,920</u>
Ratio of Debt to June 30, 2004 Assessed Valuation of (100% Assessment):		\$93,226,806,877
Direct Debt		1.65%
Net Direct Debt **		1.57%
Direct and Overlapping Debt		3.62%
Net Direct and Overlapping Debt		1.70%
Ratio of Debt to June 30, 2004 Market Value of:		\$102,055,016,189
Direct Debt		1.50%
Net Direct Debt **		1.43%
Direct and Overlapping Debt		3.31%
Net Direct and Overlapping Debt		1.56%

\* Outstanding amount of \$200,000,000 refunded with the proceeds of the proposed Bonds.

\*\* Net Direct Debt of \$1,463,049,698 is derived by subtracting direct self-supporting debt, which consists only of County Government Revenue Bonds, from Total Direct Debt.

**Table 2**  
**Statement of Legal Debt Margin**  
**As of March 31, 2005**  
**and Including Proposed Bonds**

June 30, 2004 Assessed Valuation – Real Property		\$89,263,005,267
Debt Limit (% of Assessed Valuation)		<u>6%</u>
Subtotal Limitation – Real Property		<u>5,355,780,316</u>
June 30, 2004 Assessed Valuation – Personal Property		\$3,963,801,610
Debt Limit (% of Assessed Valuation)		<u>15%</u>
Subtotal Limitation – Personal Property		<u>594,570,242</u>
Total Assessed Valuation – Real and Personal Property		\$93,226,806,877
Legal Limitation for the Borrowing of Funds and the Issuance of Bonds		\$5,950,350,558
Less Amount of Debt Applicable to Debt Limit:		
General Obligation Bonds Outstanding	\$1,261,833,054	
Proposed General Obligation Bonds	200,000,000	
Short-Term BANs/Commercial Paper	--	
Long Term Notes Payable	<u>1,216,644</u>	
Net Direct Debt		<u>1,463,049,698</u>
Legal Debt Margin		<u>\$4,487,300,860</u>
Net Direct Debt as a Percentage of Assessed Valuation		<u>1.57%</u>

*(The remainder of this page has been left blank intentionally.)*

**Table 3**  
**General Obligation Debt of the County**  
**As of June 30, 2004**  
**and March 31, 2005 and Including Proposed Bonds**

<u>Issue</u>	<u>Dated Date</u>	<u>Original Issue Size</u>	<u>Original Interest Rates</u>	<u>TIC*</u>	<u>Maturity</u>	<u>Principal Outstanding June 30, 2004</u>	<u>Principal Outstanding March 31, 2005 and Including Proposed Bonds</u>
GO Bonds	05/01/85	\$ 65,000,000	7.60-8.60%	8.2205%	1986-05	\$ 3,250,000	\$ 3,250,000
GO Bonds	04/01/86	50,000,000	5.80-6.30	6.0956	1987-06	5,000,000	5,000,000
GO Refunding Bonds	07/01/92	273,038,054	2.75-5.80	5.7431	1993-10	122,063,054	94,518,054
GO Bonds	10/01/93	100,000,000	4.40-4.90	4.6899	1994-13	5,000,000	--
GO Bonds	10/01/94	100,000,000	5.20-6.125	5.7958	1995-08	10,000,000	5,000,000
GO Bonds	03/15/96	120,000,000	5.10-5.50	5.2946	1997-08	18,000,000	18,000,000
GO Bonds	04/15/97	115,000,000	5.00-5.375	5.3226	1998-08	40,250,000	23,000,000
GO Refunding Bonds	01/01/98	69,510,000	3.90-5.25	4.6400	2003-15	68,735,000	68,275,000
GO Bonds	04/01/98	115,000,000	4.875	4.7607	1999-18	69,000,000	34,500,000
GO Bonds	04/01/99	120,000,000	4.00-5.00	4.4764	2000-19	84,000,000	48,000,000
GO Bonds	01/01/00	130,000,000	5.00-6.00	5.4853	2001-13	52,000,000	45,500,000
GO Bonds	02/01/01	140,000,000	4.00-5.00	4.5447	2002-21	119,000,000	112,000,000
GO Refunding Bonds	11/15/01	146,375,000	3.60-5.25	4.5107	2003-19	144,530,000	138,595,000
GO Bonds	02/01/02	160,000,000	3.00-5.00	4.4619	2003-22	144,000,000	128,000,000
GO Refunding Bonds	11/15/02	93,595,000	2.75-5.25	3.2799	2005-13	93,595,000	93,595,000
GO Bonds	05/01/03	155,000,000	1.50-4.00	3.6304	2004-23	147,250,000	147,250,000
GO Refunding Bonds	05/01/03	49,505,000	2.00-5.00	2.2900	2004-11	49,505,000	45,060,000
GO Bonds	03/15/04	154,600,000	3.00-5.00	3.8290	2005-24	154,600,000	154,600,000
GO Refunding Bonds	08/15/04	97,690,000	3.00-5.25	3.7208	2008-17	--	97,690,000
GO Bonds	05/15/05	200,000,000	4.00-5.00	3.8806	2006-25	--	200,000,000
Total						<u>\$1,329,778,054</u>	<u>\$1,461,833,054</u>

\* True Interest Cost.

*(The remainder of this page has been left blank intentionally.)*



**Table 4**  
**General Obligation Bonds Authorized – Unissued**  
**As of March 31, 2005 and Including Proposed Bonds**

<u>Purpose</u>	<u>Chapter</u>	<u>Act</u>	<u>Amount</u>	<u>Amount Unissued</u>	<u>Proposed Bonds</u>
General County, Parks, and Consolidated Fire Tax District	22	2000	\$ 78,300,000	\$ 62,090,000	\$ --
	17	2001	35,200,000	35,200,000	--
	21	2002	4,700,000	4,700,000	--
	17	2003	63,600,000	63,600,000	--
	18	2004	<u>31,200,000</u>	<u>31,200,000</u>	<u>--</u>
			<u>213,000,000</u>	<u>196,790,000</u>	<u>60,400,000</u>
Road & Storm Drainage	22	2000	77,600,000	44,910,000	--
	17	2001	10,630,000	10,630,000	--
	21	2002	34,800,000	34,800,000	--
	17	2003	1,700,000	1,700,000	--
	18	2004	<u>97,500,000</u>	<u>97,500,000</u>	<u>--</u>
			<u>222,230,000</u>	<u>189,540,000</u>	<u>57,100,000</u>
Public Schools and Community College	17	2001	159,755,000	3,268,000	--
	21	2002	104,800,000	104,800,000	--
	17	2003	52,400,000	52,400,000	--
	18	2004	<u>145,000,000</u>	<u>145,000,000</u>	<u>--</u>
			<u>461,955,000</u>	<u>305,468,000</u>	<u>81,300,000</u>
Mass Transit	22	2000	1,400,000	105,000	--
	17	2001	6,700,000	6,700,000	--
	21	2002	1,600,000	1,600,000	--
	17	2003	<u>900,000</u>	<u>900,000</u>	<u>--</u>
			<u>10,600,000</u>	<u>9,305,000</u>	<u>1,200,000</u>
Public Housing	17	1981	2,650,000	2,590,000	--
	13	1982	995,000	995,000	--
	8	1983	230,000	230,000	--
	20	1985	900,000	900,000	--
	13	1986	<u>855,000</u>	<u>855,000</u>	<u>--</u>
			<u>5,630,000</u>	<u>5,570,000</u>	<u>--</u>
Parking Districts: Silver Spring	9	1983	2,945,000	2,045,000	--
	6	1984	<u>1,220,000</u>	<u>1,220,000</u>	<u>--</u>
			<u>4,165,000</u>	<u>3,265,000</u>	<u>--</u>
Bethesda	19	1981	7,325,000	3,040,000	--
	14	1982	775,000	775,000	--
	10	1983	<u>1,050,000</u>	<u>1,050,000</u>	<u>--</u>
			<u>9,150,000</u>	<u>4,865,000</u>	<u>--</u>
Total Parking Districts			<u>13,315,000</u>	<u>8,130,000</u>	<u>--</u>
Total General Obligation Bonds			<u>\$926,730,000</u>	<u>\$714,803,000</u>	<u>\$ 200,000,000</u>

In addition to the above noted authority, the County has authority under the provisions of section 56-13 of the Montgomery County Code 1994, as amended, to issue County bonds, within statutory debt limits, to finance approved urban renewal projects.

**Table 5**  
**Bond Anticipation Notes Outstanding**  
**As of March 31, 2005 and**  
**After Effect of Proposed Bonds**

<u>Issue</u>	<u>Balance July 1, 2004</u>	<u>BANs Issued</u>	<u>Balance March 31, 2005</u>	<u>BANs to be Retired</u>	<u>Balance After Effect of Proposed Bonds</u>
BAN Series 2002-D	\$ 35,000,000	\$ --	\$ 35,000,000	\$ 35,000,000	\$ --
BAN Series 2002-E	115,000,000	--	115,000,000	115,000,000	--
BAN Series 2002-F	<u>--</u>	<u>50,000,000</u>	<u>50,000,000</u>	<u>50,000,000</u>	<u>--</u>
Total	<u>\$150,000,000</u>	<u>\$ 50,000,000</u>	<u>\$200,000,000</u>	<u>\$200,000,000</u>	<u>\$ --</u>

*(The remainder of this page has been left blank intentionally.)*

**Table 6**  
**Montgomery County, Maryland**  
**Schedule Of General Fund Revenues, Expenditures, & Transfers In (Out)**  
**(Budgetary, Non-GAAP Basis)**

	Fiscal Year Actual <sup>(1)</sup>			Fiscal Year Budget 2005 <sup>(2)</sup>	Actual July 1, 2004 to December 31, 2004 (Unaudited)
	2002	2003	2004		
Revenues:					
Taxes:					
Property, including interest & penalty	\$ 644,523,032	\$ 695,354,478	\$ 736,961,478	\$ 790,645,120	\$ 745,649,139
Transfer tax and recordation tax	132,085,074	169,583,507	219,080,729	154,070,000	106,982,721
County income tax	866,996,269	787,997,740	869,667,887	892,970,000	331,345,729
Other taxes	<u>43,704,476</u>	<u>47,630,238</u>	<u>116,892,853</u>	<u>164,804,760</u>	<u>76,934,778</u>
Total Taxes	1,687,308,851	1,700,565,963	1,942,602,947	2,002,489,880	1,260,912,367
Licenses and permits	4,857,707	8,728,837	9,201,123	9,239,090	5,213,124
Intergovernmental revenue	115,791,737	111,611,635	117,131,716	127,251,410	63,413,110
Charges for services	7,262,727	10,389,923	14,141,153	15,382,920	7,049,880
Fines and forfeitures	7,143,920	7,383,288	7,404,248	14,335,520	3,326,342
Investment income	8,270,355	3,310,147	416,588	3,582,820	1,388,564
Miscellaneous	<u>10,598,490</u>	<u>8,929,585</u>	<u>8,945,982</u>	<u>8,595,610</u>	<u>2,516,453</u>
Total Revenues	<u>1,841,233,787</u>	<u>1,850,919,378</u>	<u>2,099,843,757</u>	<u>2,180,877,250</u>	<u>1,343,819,840</u>
Expenditures (including encumbrances):					
General County:					
General government	161,204,882	166,156,273	168,549,554	183,477,996	107,362,408
Public safety	188,059,119	212,829,090	225,634,585	245,794,564	131,374,271
Public works and transportation	32,518,389	41,130,164	45,659,148	38,789,559	19,793,608
Health and human services	149,134,783	157,251,684	163,006,801	179,141,010	106,871,377
Culture and recreation	44,090,316	43,455,404	41,611,491	42,520,943	25,656,684
Housing and community development	3,632,055	6,305,950	6,363,507	7,000,470	3,431,341
Environment	<u>4,349,786</u>	<u>3,557,247</u>	<u>3,235,236</u>	<u>3,608,395</u>	<u>1,524,261</u>
Total Expenditures	<u>582,989,330</u>	<u>630,685,812</u>	<u>654,060,322</u>	<u>700,332,937</u>	<u>396,013,950</u>
Transfers In (Out):					
Transfers In:					
Special Revenue Funds	12,850,550	12,555,270	13,203,740	12,538,500	6,269,250
Enterprise Funds	33,378,200	29,877,080	26,442,710	27,102,810	13,551,405
Internal Service Funds	500,000	--	--	--	--
Component Units	<u>612,754</u>	<u>626,360</u>	<u>328,420</u>	<u>328,420</u>	<u>1,010,826</u>
Total Transfers In	<u>47,341,504</u>	<u>43,058,710</u>	<u>39,974,870</u>	<u>39,969,730</u>	<u>20,831,481</u>
Transfers Out:					
Special Revenue Funds	(28,275,375)	(22,374,913)	(31,243,064)	(14,546,486)	(7,287,736)
Debt Service Fund	(157,010,129)	(168,474,195)	(177,932,595)	(189,066,240)	(80,305,609)
Capital Projects Fund	(61,368,324)	(15,012,594)	(29,506,722)	(45,793,611)	(8,244,019)
Enterprise Funds	(3,143,120)	(2,368,780)	(2,721,418)	(2,890,298)	(1,283,535)
Internal Service Funds	(471,622)	(79,734)	(116,423)	(584,970)	--
Component Units	<u>(1,117,630,064)</u>	<u>(1,163,343,950)</u>	<u>(1,222,246,998)</u>	<u>(1,353,478,733)</u>	<u>(713,604,427)</u>
Total Transfers Out	<u>(1,367,898,634)</u>	<u>(1,371,654,166)</u>	<u>(1,463,767,220)</u>	<u>(1,606,360,338)</u>	<u>(810,725,326)</u>
Net Transfers In (Out)	<u>(1,320,557,130)</u>	<u>(1,328,595,456)</u>	<u>(1,423,792,350)</u>	<u>(1,566,390,608)</u>	<u>(789,893,845)</u>
Excess of revenues and transfers in over (under) expenditures, encumbrances and transfers out	<u>(62,312,673)</u>	<u>(108,361,890)</u>	<u>21,991,085</u>	<u>(85,846,295)</u>	<u>157,912,045</u>
Fund Balances, July 1 as previously stated	230,423,758	195,161,927	109,601,952	146,804,572	146,804,572
Net Adjustment for previous year encumbrances	<u>27,050,842</u>	<u>22,801,915</u>	<u>15,211,535</u>	<u>13,834,682</u>	<u>13,761,963</u>
Fund Balances, July 1 restated	257,474,600	217,963,842	124,813,487	160,639,254	160,566,535
Equity transfers in (out)	--	--	--	--	--
Budgetary Fund Balance – Subtotal	<u>\$ 195,161,927</u>	<u>\$ 109,601,952</u>	<u>\$ 146,804,572</u>	<u>\$ 74,792,959</u>	<u>\$ 318,478,580</u>
Projections through year end:					
Revenue/Transfers In Remaining				--	920,778,029
Expenditures/Transfers Out Remaining				--	(1,069,176,857)
Budgetary Fund Balance Projected to June 30				<u>\$ 74,792,959</u>	<u>\$ 170,079,752</u>

(1) Amounts for FY02-04 are audited.

(2) Updated for budget adjustments as of December 31, 2004.

**Table 7**  
**General Fund**  
**Schedule Of Budgetary Fund Balance to**  
**GAAP Fund Balance Reconciliation**

	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004	Projected July 1, 2004 to June 30, 2005 (Unaudited)
Budgetary to GAAP Reconciliation:				
Budgetary Fund Balance as noted above	\$195,161,927	\$109,601,952	\$146,804,572	\$170,079,752
Plus encumbrances outstanding	25,357,214	16,783,091	13,840,682	13,000,000
Adjustment for prior year encumbrances	(2,261,938)	(2,555,941)	(1,567,518)	(3,000,000)
Unrealized investment gain (loss)	(1,973,055)	1,752,108	(1,740,797)	(1,961,744)
Net differences between beginning fund balances <sup>(1)</sup>	<u>2,973,976</u>	<u>842,960</u>	<u>1,599,257</u>	<u>331,405</u>
GAAP Fund Balance as Reported	<u>\$219,258,124</u>	<u>\$126,424,170</u>	<u>\$158,936,196</u>	<u>\$178,449,413</u>
Elements of GAAP Fund Balance:				
Reservations	\$ 29,201,708	\$ 22,540,476	\$ 19,830,438	\$ 19,000,000
Designated for CIP Transfers	55,822,587	51,936,828	82,361,052	35,973,558
Designated for subsequent years expenditures	61,325,631	17,300,037	30,017,660	38,615,996
Unreserved / Undesignated	<u>72,908,198</u>	<u>34,646,829</u>	<u>26,727,046</u>	<u>84,859,859</u>
	<u>\$219,258,124</u>	<u>\$126,424,170</u>	<u>\$158,936,196</u>	<u>\$178,449,413</u>

(1) Amount restated to break out the impact of unrealized investment gains (losses).  
Note: All amounts are for fiscal years ended June 30.

**AUTHORIZATION OF OFFICIAL STATEMENT**

The execution of this Official Statement and its delivery have been duly authorized by the County. This Official Statement is hereby deemed final for the purposes of Rule 15c2-12 of the Securities and Exchange Commission.

/s/ BRUCE ROMER  
Bruce Romer  
Chief Administrative Officer

/s/ TIMOTHY L. FIRESTINE  
Timothy L. Firestine  
Director, Department of Finance

**APPENDIX A**

**INFORMATION ABOUT THE COUNTY AS OF JANUARY 13, 2005**

*(This page has been left blank intentionally.)*

## **TABLE OF CONTENTS**

Orientation to the County, Its History, and	
Government _____	3
Location _____	3
History _____	3
Government _____	3
County Officials _____	4
General Information About County Government	
and Services _____	5
County Employees _____	16
Debt Summary _____	17
Overview _____	17
Debt Affordability _____	19
Direct Debt _____	20
Overlapping Debt _____	26
County Facility Lease Obligations _____	29
Other Operating Payment Agreements _____	30
State Assumption - Certain Mass Transit	
Capital Costs _____	30
Financial Information _____	31
Accounting System _____	31
Reporting Entity _____	31
Basis of Accounting _____	31
Annual Budgets _____	32
Operating Budget and Tax Rates _____	32
Capital Budget/Capital Improvements Program _____	32
Legal Framework for Budgeting _____	32
Major Sources of Revenue _____	33
Status of the General Fund _____	33
Revenue Stabilization Fund _____	38
Cash and Investment Management _____	39
Risk Management _____	39
Employees' Retirement Systems _____	40
Property Tax Information _____	41
Impact Tax _____	43
Demographic and Economic Information _____	45
Population _____	45
Employment _____	45
Federal Government Employment _____	48
Private Sector Employment _____	49
Personal Income _____	50
Average Household and Per Capita Personal	
Income _____	51
New Construction _____	52
Economic Development Initiatives _____	53
Agriculture _____	57
Office/Industrial Projects _____	58
New Business Additions and Expansions _____	61
Federal Spending _____	63
Retail Sales _____	64
Major Retail Centers _____	65

## LIST OF TABLES

<u>Table</u>	<u>Description</u>	<u>Page</u>
1	Secondary Education	8
2	Summary of Market Share By County	15
3	FDIC Institutions Market Share	15
4	County Bargaining Units	16
5	Board of Education Bargaining Units	16
6	Statement of Direct and Overlapping Debt	18
7	Statement of Legal Debt Margin	19
8	General Obligation Bonded Debt Ratios	20
9	General Obligation Debt of the County	21
10	Summary of General Obligation Bond – Debt Service by Fiscal Year	22
11	General Obligation Bonds Authorized – Unissued	23
12	PAYGO Substitutions	24
13	Bond Anticipation Notes Outstanding	24
14	Revenue Bond Debt of the County	25
15	Summary of Revenue Bond Debt Service Charges by Fiscal Year	26
16	Revenue Bonds Authorized – Unissued	26
17	Schedule of General Fund Revenues, Expenditures, & Transfers In (Out)	37
18	Schedule of Budgetary Fund Balance to GAAP Fund Balance Reconciliation	38
19	Assessed Value of All Taxable Property by Class and Fiscal Year	42
20	Tax Levies and Revenue	42
21	Tax Rates and Tax Levies, By Purpose	43
22	Ten Highest Commercial Property Taxpayers’ Assessable Base	43
23	Impact Tax Collections	44
24	Households and Population	45
25	Median Age	45
26	Payroll Employment	46
27	Payroll Employment Shares by Industry	46
28	Payroll Employment (NAICS Series)	47
29	Resident Labor Force Employment & Unemployment	47
30	Total Personal Income	50
31	Estimated Per Capita and Average Household Income, 2003	51
32	New Construction Added to Real Property Tax Base	52
33	Office/Flex Space Availability by Submarket	57
34	Federal Procurement Trends	64
35	Sales & Use Tax Receipts by Principal Business Activity	65





## **ORIENTATION TO THE COUNTY, ITS HISTORY, AND GOVERNMENT**

### ***Location***

Montgomery County is located adjacent to the nation's capital, Washington, D.C., and includes 497 square miles of land area. The topography is rolling with small hills. Elevations range from 52 feet above sea level at the junction of the Potomac River and the District Line, to 850 feet in the northern portion of the County near Damascus. Bordering the County are Howard County to the northeast, Prince George's County to the southeast, Frederick County to the northwest, the District of Columbia to the south, and Virginia to the southwest.

### ***History***

Montgomery County was established by the State Convention in 1776, and from its establishment until 1948, the Montgomery County Government functioned under the County Commission system. In 1948, the voters adopted a charter giving the County home rule and a council-manager form of government. In 1968, the voters approved a new charter providing for separate legislative and executive branches of government, with the legislative power vested in an elected County Council and executive power in an elected County Executive. The new charter became fully implemented with the election of the County Executive and the County Council in November 1970.

### ***Government***

The County Council is comprised of nine members, four of whom are elected by the qualified voters of the entire County. Each of the five other members of the Council must, at the time of their election, reside in a different one of five Councilmanic districts of the County and each of these five members shall be nominated and elected by the qualified voters in their respective districts. Populations of the Councilmanic districts are substantially equal.

The County Executive, who must be a qualified voter of the County for the five years preceding his or her election and who may not be less than thirty years of age, is elected by the qualified voters of the entire County at the same time as the Council. Both the County Executive and the County Council members serve a four-year term.

## ***County Officials***

### **County Executive - Douglas M. Duncan**

Douglas M. Duncan was elected Montgomery County's fifth County Executive on November 8, 1994. He was re-elected to his third term on November 5, 2002, and sworn in on December 2, 2002. A lifelong Rockville resident, Mr. Duncan graduated from St. John's College High School. He went on to attend Columbia University and, in three years, earned a Bachelor of Arts degree, with a double major in Psychology and Political Science (1976). Mr. Duncan worked for the County's Criminal Justice Coordinating Commission before joining AT&T in 1981. He held several positions during his 13-year career at the company, culminating with his assignment as National Account Manager for AT&T Integrated Solutions.

Mr. Duncan's political career began with his election in 1982 to the Rockville City Council, where he served three two-year terms. In 1987, he was elected Mayor of Rockville, a post he maintained for three two-year terms. During Mr. Duncan's tenure as Mayor of Rockville, the City won national and regional awards for governmental excellence, fiscal responsibility, community policing, and environmental achievements. Mr. Duncan bypassed a run for a fourth term as Rockville Mayor in order to pursue his successful bid for the County Executive post in 1994.

### **President, County Council – Thomas Perez**

Thomas Perez was elected to the Montgomery County Council in November 2002, and was recently named Council president by his colleagues. He serves on the Council's Transportation and Environment Committee, where he is lead Councilmember on the environment, and is also a member of the Health and Human Services Committee.

Prior to his election to the Council, Mr. Perez served as Deputy Assistant Attorney General for Civil Rights in the U.S. Department of Justice, and as Director of the Office of Civil Rights at the U.S. Department of Health and Human Services. He later became an Assistant Professor of Law and Director of Clinical Law Programs at the University of Maryland School of Law. He is a graduate of Brown University, Harvard Law School, and the John F. Kennedy School of Government.

### **Chief Administrative Officer - Bruce Romer**

Bruce Romer has served as Chief Administrative Officer since 1995. Prior to Mr. Romer's appointment, he served for six years as City Manager for Rockville, Maryland. His 38 years in professional local government management include city management positions in Davenport, Iowa; Sidney, Ohio; Brighton, Michigan; and suburban Philadelphia, Pennsylvania.

Mr. Romer holds a Bachelor of Arts Degree in Political Science and Business Administration from Wittenberg University, and a Master of Government Administration Degree from The Wharton Graduate School, University of Pennsylvania. He is a past president of the International City/County Management Association (ICMA), and is a past president and a member of the Board of Directors of the Metropolitan Washington Council of Governments. Mr. Romer is Vice-Chair of the Board of Directors of the District of Columbia Water and Sewer Authority and is a member of the Board of Directors of Public Technology, Inc.

### **Director, Department of Finance - Timothy L. Firestine**

Timothy L. Firestine was appointed Director, Department of Finance on July 24, 1991 and confirmed on August 6, 1991. Prior to his appointment, Mr. Firestine served in various management positions in the County's Office of Management and Budget. Before coming to the County, Mr. Firestine was the Budget Officer for the Allegheny County, Pennsylvania, Controller's Office.

Mr. Firestine received his Bachelor of Arts Degree from Albright College and his Master of Public Administration Degree from the University of Pittsburgh. Mr. Firestine is a member of the Board of Investment Trustees for the Employees' Retirement System of Montgomery County. He is a member of the Government Finance Officers

Association and serves on its Committee on Debt. Mr. Firestone is currently the President of the Maryland Government Finance Officers Association and served on the Board of Trustees for Suburban Health Care System, Inc., in Bethesda, Maryland. Mr. Firestone is also an adjunct professor at the University of Maryland, Graduate School of Public Policy, where he teaches Public Finance.

#### **Director, Office of Management and Budget – Beverley K. Swaim-Staley**

Beverley K. Swaim-Staley was appointed Director of the Office of Management and Budget on May 27, 2003. Prior to her appointment, she served as the Deputy Secretary of the Maryland Department of Transportation for four years, and as the Chief Financial Officer for five years. From 1983 to 1993, Ms. Swaim-Staley was a budget analyst for the Maryland General Assembly.

Ms. Swaim-Staley holds Bachelor of Arts and Master of Arts Degrees from Hood College in Frederick, Maryland. She serves on the Board of Investment Trustees for the Employees' Retirement System of Montgomery County.

#### **County Attorney - Charles W. Thompson, Jr.**

Charles W. Thompson, Jr. was appointed County Attorney on February 9, 1995, and was confirmed on March 7, 1995. For the prior 17 years, Mr. Thompson served as County Attorney for Carroll County, Maryland. From 1975 to 1978, Mr. Thompson was an assistant state's attorney in Carroll County.

Mr. Thompson received a bachelor's degree in history from Virginia Military Institute and earned his Juris Doctor from the University of Baltimore School of Law. In addition to serving as president of the Carroll County Bar Association, Mr. Thompson has been active with the Montgomery County Bar Association and the Maryland State Bar Association. He is a member of the Board of Directors, and Treasurer, of the International Municipal Lawyers Association, and served as Chairman and is a member of the Section Council, State and Local Government Law Section of the Maryland State Bar Association.

Mr. Thompson is currently serving as an adjunct professor at the National Law Center, George Washington University, teaching State and Local Government Law.

## **GENERAL INFORMATION ABOUT COUNTY GOVERNMENT AND SERVICES**

### **Culture and Recreation**

The County Department of Recreation provides a wide range of programs including: aquatics, camps, classes, youth and adult sports, summer fun centers, teen, senior citizen and therapeutic programs. The Department operates 18 community centers that facilitate leisure activity, social interaction, family participation, and neighborhood civic involvement. An additional 12 program sites serve select senior populations, offering adults aged 55 and above classes, sports and fitness, trips, neighborhood programs, and special programs for frail and isolated seniors. Three new community centers are proposed for development within the next six years. The Department operates the Charles W. Gilchrist Center for Cultural Diversity, a unique facility that serves as a cultural and community focal point. The Department also funds the Gaithersburg Senior Center and the Takoma Park Community Center through significant grants.

There are presently seven large public outdoor swimming pools and three regional indoor aquatic complexes that provide for a variety of instructional, recreational, and competitive aquatic programs. A fourth indoor swim center, the Germantown Indoor Aquatic Center, is scheduled to open in FY06.

The Strathmore Hall Arts Center, located in the historic Corby Mansion, houses the Strathmore Hall Foundation. The Center's original structure has undergone a \$3 million addition and renovation, and is used for art shows, concerts, and dramatic readings. Significant improvements were made at the Center with the construction of a multi-disciplinary education and performance center on a five-acre site adjacent to the Center. The Arts Education facility houses a full

range of complementary arts education classes for children and adults. It combines studio, classroom, rehearsal, and performance space for students. The performance hall is capable of supporting large-scale (2,000 seat) musical presentations including major choral, orchestral, and popular entertainments.

As part of the Silver Spring Redevelopment project, the historic Silver Theatre, operated by the American Film Institute, was restored. Two additional theatres were constructed on the same site. Located on an adjacent site is the Round House Theatre School, which provides both theatrical and educational programs. Round House also operates a 400 seat theatre in Bethesda. Additional cultural opportunities are available at Montgomery College. The College operates a Summer Dinner Theatre, and its Performing Arts Series features theatre, dance, and music performances.

## **Economic Development**

### *Department of Economic Development*

The mission of the Montgomery County Department of Economic Development (DED) is to develop strategies and implement programs that will maintain and expand the County's economic base, promote business growth, generate employment opportunities, and increase tax revenues.

To achieve this mission, DED provides services to help existing businesses expand, new businesses to locate in the County, small and minority-owned businesses grow, promote high technology development, attract foreign investments, expand the County's export base, preserve farmland, and enhance the viability of the agricultural industry.

DED's responsibilities also include initiatives to enhance the presence of higher education in the County, to further develop the County-owned biotechnology research park, the Shady Grove Life Sciences Center, and to operate and expand the County technology business incubators, the Maryland Technology Development Center and the Silver Spring Innovation Center. In addition, DED oversees the County training and employment programs through its Division of Workforce Investment Services, tourism promotion programs operated by the Montgomery County Conference and Visitor's Bureau, and the small business services offered by Montgomery County's Business Resource Center.

### *Economic Development Services and Programs*

Existing and prospective new businesses receive an array of professional assistance from DED. This assistance can take the form of site searches (DED maintains an inventory listing of available office, R&D and industrial space in the County), information on zoning, comparative tax data, socioeconomic statistics, and permit expediting. In addition, DED teamed up with the Small Business Development Center (SBDC) in 1993 to provide specialized counseling services and seminars to assist small and start-up businesses in the County. The SBDC is a joint partnership among the State of Maryland, the County, and the Small Business Administration.

### *Economic Development Fund and Other Financial Incentives*

Businesses seeking to either establish a presence or expand facilities in the County may qualify for assistance through the County's Economic Development Fund. Established in 1995, the Economic Development Fund provides assistance to private employers who will either retain jobs in the County, or create new jobs through the expansion of current businesses or location of new businesses to the County. The Economic Development Fund is administered by the Department of Finance.

As of October 12, 2004, 124 offers for grants and loans totaling \$20.3 million were accepted under the Economic Development Fund Grant/Loan Program. The economic impact of these transactions is estimated to include: 32,132 jobs retained or gained; over \$1.44 billion in private investment; and an annual net revenue return of over \$36.2 million.

In addition to the original Economic Development Fund program, three other financial incentive programs were added. The Technology Growth Program (TGP) was developed to facilitate the growth of early-stage technology-based companies located or desiring to locate in the County. The Program is aimed at leveraging private sector financing and State Challenge and Equity Investment funds. Since the beginning of the TGP in 1999, 24 companies received funding

for a total of \$1.5 million. The Small Business Revolving Loan Program was created to help small business concerns in the County and to finance economic development projects that cannot be financed through traditional private and public sources. Since the beginning of this Program, 13 small businesses received loans totaling \$910,000. The Demolition Loan Program is administered by the Department of Housing and Community Affairs. This innovative program provides assistance to owners of obsolete, underutilized commercial buildings to demolish buildings and clear the land to ready it for redevelopment. Through these programs, DED works to develop offers of assistance, frequently in close cooperation and coordination with the State of Maryland, and frequently leverages additional offers of assistance from State sources.

#### *Economic Advisory Council (EAC)*

This 30-member blue ribbon group advises the County government on important economic development policies, as well as on fiscal, budgetary, and management issues. Comprised of business, education, and community group representatives, the EAC helps DED evaluate economic trends and develop strategies related to the County's employment base and the attraction, retention, and expansion of businesses. This past year the EAC developed a strategic plan for economic development, a visionary blueprint for the future.

#### *Shady Grove Life Sciences Center*

The Shady Grove Life Sciences Center (the "Center") is a 300-acre advanced research and technology park exclusively oriented to the needs of the biotechnology and healthcare industries. The Center is owned, developed, and operated by the County, with the Department of Economic Development taking the lead responsibility for the Center's promotion and management.

The Center was developed in the early-to-mid 1980's in response to the cancer research and gene therapy advances developed in County-based Federal agencies such as the National Institutes of Health. Many of the government scientists most responsible for this research would use their skills and knowledge to form their own private biotechnology companies. Montgomery County recognized the growth potential of the biotechnology industry and quickly developed the concept of the Life Sciences Center to provide these new entrepreneurs with the facilities and resources necessary to stimulate the rapid growth of their new companies.

The Center, located along the Interstate 270 "Technology Corridor" in Rockville, developed around a core of existing healthcare facilities, including Shady Grove Adventist Hospital. The Center's first biotechnology tenants were Otsuka America Pharmaceutical, Inc., and BioReliance, both of which entered the Center in 1985. Otsuka currently has a 55,000 square foot R&D facility in the Center, along with a 90,000 square foot office building off-site. BioReliance continues to have a major presence in the Center with an 80,000 square foot R&D and manufacturing facility, along with a 50,000 square foot corporate office building. Additional major biotech organizations currently in the Center include Human Genome Sciences, The Institute for Genomic Research, and EntreMed.

In addition to the core of biotechnology companies, the Center also features university campuses for both Johns Hopkins University and the Universities at Shady Grove, a part of the University of Maryland system. Both of these universities' curricula feature a wide range of biotechnology and life sciences courses and programs. Also present in the Center is the 120,000 square foot Center for Advanced Research in Biotechnology (CARB). CARB, created by a joint effort among the National Institute of Standards and Technology (NIST), the University of Maryland Biotechnology Institute (UMBI), and Montgomery County, provides a unique forum for collaborative biotechnology research among academic, government, and industry scientists.

Another unique feature of the Center is the Maryland Technology Development Center (MTDC). Opened in 1998, the MTDC is a 55,000 square foot incubator facility for start-up biotech and information technology companies. The MTDC is managed by Montgomery County and has been fully occupied since it opened. A number of start-up companies "graduated" from the MTDC and moved into larger office and laboratory space elsewhere in Montgomery County.

The success of the Center resulted in significant growth of adjacent research campuses. The Belward Research Campus, an extension of the Center, is a 30-acre campus site jointly developed by Montgomery County and Johns Hopkins University. Both Human Genome Sciences and Automated Precision Instruments constructed research and manufacturing facilities on the campus, which can accommodate about 500,000 square feet of development. An additional 100 acres of the Belward Campus is programmed for future development.

The success of the Life Sciences Center allowed it to continue to grow and expand. Completed in 2004 were three significant construction and expansion projects, including the fifth building for The Institute for Genomic Research. This four-story, 120,000 square foot building was completed in 2004 and features wet and dry lab space and administrative office space. In addition, the third building on the campus of Johns Hopkins University broke ground in September of 2003 and opened in late 2004. The new building has 155,000 square feet, 50,000 square feet of which will be classrooms, computer labs, and related academic space. The additional space is being used to attract additional high tech companies with whom Johns Hopkins will establish academic and research collaborations. Finally, the Center for Advanced Research in Biotechnology (CARB) is undergoing a significant expansion. A second CARB building (known as CARB II) broke ground in September 2003 and will feature 140,000 square feet of state-of-the-art laboratories, key core facilities, and training centers that will address the workforce needs of Maryland's biotechnology industry. This \$48 million facility should deliver in early 2005.

## Education

The 2003 Census Update Survey indicated that County residents, on average, continue to be highly educated. The proportion of County residents 25 years old or over completing four or more years of college continued to increase, from 33.2 percent in 1970 to 62.8 percent in 2003. Advanced degrees are held by 34.0 percent of the adult population. High school graduates account for 91.4 percent of the County population aged 25 and over, above the 79.5 percent proportion in 1970, the 87.3 percent in 1980, and the 90.3 percent in 2000.

Within a 40-mile radius of Montgomery County, there are 32 colleges and universities offering degrees in various disciplines. Many of those institutions also offer advanced degree programs in engineering, medicine, business, and computer sciences. The following table lists selected schools within or near the County, and shows the student enrollment and offered degrees for each institution.

**Table 1**  
**Secondary Education**

<u>School</u>	<u>Student Enrollment</u>	<u>Types of Degrees Offered</u>
American University, Washington, DC	10,000	4-year, professional
Catholic University, Washington, DC	5,981	4-year, professional
Hood College, Frederick, MD	1,793	4-year, professional
Howard University, Washington, DC	11,256	4-year, professional
Johns Hopkins University, Baltimore, MD	19,900	4-year, professional
Montgomery College, Rockville, MD	21,671*	2-year**
University of Maryland, College Park, MD	55,555	4-year, professional

\* Excludes enrollment in workforce development and continuing education classes.

\*\* Articulation agreements with 4-year institutions are available.

Note: Most current data available for each institution.

Montgomery County Public Schools (MCPS) is governed by an elected Board of Education comprised of eight members, including one student member. The Board, which was created by State law, appoints the Superintendent and all other employees. The system operates 192 elementary and secondary schools. The operating budget is \$1.609 billion for FY05, a 7.2 percent increase over the prior year, and the FY05-10 capital improvements budget is \$912.8 million. The emphasis that County residents place on education is reflected in per pupil operating expenditures of \$10,537 in FY05, and in the high percentage of high school graduates who continue formal education. In FY05, projected enrollment is 140,492 students.

## **Libraries**

There are 23 libraries located throughout the County. In addition, a bookmobile provides limited book selections to numerous small communities, and a library is also operated at the County Detention Center. During FY04 489,000 registered patrons used library facilities and the collection was approximately 2.8 million volumes; total circulation was over 11.4 million. Per capita circulation of 12.25 books is among the highest in Maryland and nationally.

## **Liquor Control**

State legislation established a Liquor Control Board in Montgomery County on December 5, 1933, shortly after the end of nationwide prohibition, giving the board monopoly power for the issuance of liquor, wine, and beer licenses in the County; the distribution of beverage alcohol at the wholesale level to County licensees; and the retail sale of liquor package goods for off-premise consumption. The Department of Liquor Control was created by Section 159 of Article 2B of the Annotated Code of Maryland, effective July 1, 1951. This newly-created Department was assigned the wholesale and retail control powers of the previous Liquor Control Board as defined in State Code. The Montgomery County Board of License Commissioners, which was created as a separate entity at the same time, assumed the authority to issue licenses for the retail sale of liquor, wine, and beer within the County. In 1997, the unification of Takoma Park gained Montgomery County four additional establishments, with one that is allowed to sell liquor package goods for off-premise consumption.

Today, the Department of Liquor Control's responsibilities include the operation of 25 County retail stores, and a County warehouse that distributes beverage alcohol to the County stores and to approximately 870 licensees, including beer and wine stores, restaurants, and clubs. The Department is a self-supporting business enterprise, with all operating requirements included in the Department's annual budget. Income in excess of departmental needs is transferred to the General Fund to finance other governmental operations.

## **Parks**

The Maryland-National Capital Park and Planning Commission administers more than 32,400 acres of parkland in the County. This includes 12 developed and four undeveloped regional and recreational parks, each typically consisting of over 200 acres, and featuring more than 630 acres of recreational lakes including Lake Frank, Lake Needwood, Little Seneca Lake, and Pine Lake. There are also more than 370 smaller park and open space areas which serve as local and neighborhood parks. Additionally, Seneca Creek State Park is located in the heart of the County, and Patuxent River State Park is located along the County's northeastern border. The National Park Service provides additional park facilities including the C & O Canal National Historic Park, Great Falls National Park, and Glen Echo Park. Also, several municipalities within the County, including Rockville, Takoma Park, Kensington, Gaithersburg, Poolesville, and Washington Grove, among others, maintain local parks.

## **Public Safety**

### *Fire and Rescue Service*

The Montgomery County Fire and Rescue Service (MCFRS) manages all components of the County's emergency medical services and fire suppression systems, including planning, field emergency medical services, fire suppression, apparatus, operations, evaluation and research. The Department is served by 959 uniformed career employees and approximately 909 volunteers, operates 33 fire and rescue stations, and has 43 worksites. MCFRS is a combination system which includes 19 local volunteer departments and a large complement of career firefighters.

In response to increasing calls for service and population growth, MCFRS is adding two new stations in the Germantown area, one in the Travilah area and another in the Clarksburg area. A new fire station is under construction in downtown Silver Spring to replace an existing undersized and obsolete facility. A similar project is also planned in Takoma Park. The Fire and Rescue Service is an active partner in the Public Safety Communication System (PSCS), a multi-departmental effort to create a mobile and wireless architecture and framework system to gather, process, analyze, synthesize and disseminate "real time" information for operational and management functions. The simultaneous

integration of computer-aided dispatch, mapping, automatic vehicle locators and route planning systems, pre-incident location planning, computer accessibility in the apparatus, and access to the Department of Homeland Security's Office of Emergency Management's hazardous materials database are cornerstones of this project. MCFRS is actively planning for additional resources based on population growth, call demand and demographic changes in the County. This proactive support and commitment to the future of fire and rescue services in Montgomery County is intended to provide the infrastructure where and when it is needed, with staffing by trained career and volunteer staff.

### *Police Department*

The Montgomery County Police Department (MCPD) is a highly-trained merit-system force of 1,111 sworn officers and 551 civilian staff. MCPD operates over 30 facilities, including six district police stations, and is accredited by the Commission for the Accreditation of Law Enforcement Agencies. In coordination with other County agencies, the Department is a major participant in the County's Public Safety Communication System (PSCS) project. This \$148 million effort is aimed at developing a complete mobile data system for the participating agencies, and includes laptop computers in public safety vehicles, an upgraded computer aided dispatch system, in-car report writing, and a new 800 MHz radio system. The project also includes a record management system, an automated vehicle location system, and mapping features. This system became operational in the summer of 2003. A new Emergency Communications Center was established to house the major components of the PSCS system.

The Department has one major capital project involving the renovation of an existing facility: the Public Safety Training Academy (scheduled for completion in the fall of 2007). Several new facilities are planned for the department, including a new facility at the Abandoned Vehicle Lot which includes a Forensics garage, two new district stations (3rd and 6th Districts), a new police substation in downtown Silver Spring, and a new Animal Shelter. The Wheaton renovation project will be completed in the winter of 2005.

In 2003, the Department initiated the Educational Facilities Officer (EFO) program with the hiring of 12 officers. The program will support 32 police officers who will be assigned to the school clusters throughout the County. These officers will perform a variety of safety related duties as described in a Memorandum of Understanding with the Montgomery County Public Schools (MCPS). Complete staffing of the program and deployment of EFO's is projected for January 2005.

Also in 2003, the Department created the Montgomery County Firearms Task Force (MCFTF) to investigate illegal firearms possession in Montgomery County. The MCFTF was a one-year pilot project which was highly successful. In 2004, the MCFTF was re-named the Firearms Investigation Unit (FIU) and made a permanent unit within the Criminal Investigations Division. The FIU is staffed by a Sergeant and three Investigators.

The Montgomery County Gang Task Force is a proactive unit designed to target gangs and gang members who engage in criminal acts. The task force was established to comprehensively address the increased concern about gang related activity as well as involvement in various crimes by gangs, gang members and their associates. The Gang Task Force mission will be two-fold: combat street level gang activity and associated crimes through the identification, arrest, and prosecution of gang members and to gather, document and disseminate intelligence on gangs and their members to the Department and its law enforcement partners. This task force became operational on April 4, 2004, and is a one-year pilot initiative. The Gang Task Force is comprised of members from the Department, the Maryland National Capital Park Police, and the Montgomery County Sheriff's Office.

### *Department of Correction and Rehabilitation*

The Department of Correction and Rehabilitation (DOCR) consists of 534 correctional officers, program staff, and other professionals who provide progressive and comprehensive correctional services through a wide variety of detention and community supervision programs. The Department operates three (3) facilities for incarceration and intensive community reentry planning: the Montgomery County Detention Center, the Montgomery County Correctional Facility, and the Pre-Release Center. The Department also operates pretrial and diversion programs that supervise over 1,500 defendants in the community on a daily basis. The Detention Center, located in Rockville, is a 200-bed, 72-hour holding facility for detainees who are subject to an initial court appearance, and handles all arrest booking, initial assessment of arrestees, maintenance of all inmate records, and release of all inmates. The Circuit



Court Commissioners who handle bail and bond hearings are also housed in this facility. The Montgomery County Correctional Facility (MCCF), a 1029-bed facility located in Clarksburg, houses and provides programs for adult men and women serving sentences up to 18 months, or awaiting trial or sentencing.

In FY04, the local inmate average daily population was approximately 137 at the Detention Center and 631 at MCCF. A combined population of approximately 85 federal inmates on average was being held as well. The average population was 137 residents at the Pre-Release Center and 31 in the nonresidential, prerelease Community Accountability, Reintegration, and Treatment (CART) program. The average local inmate population is projected to grow to over 1,000 by the year 2020. The new MCCF completed its first full year of operation successfully.

The County is engaged to renovate the Montgomery County Detention Center (MCDC) to improve the criminal justice process. The MCDC Reuse capital project provides for the planning, design and renovation of the MCDC for use primarily as a short-term holding and central processing facility. Other proposed uses for MCDC include: DOCR training; District Court Commissioners' area; Department of Health and Human Services - Mental Health Assessment and Placement Unit; Pre-trial Services Assessment Unit; Public Defenders Unit; and the Police Warrants and Fugitive Unit. These uses are considered priority public safety uses.

### **Public Works**

The Division of Operations, in the Department of Public Works and Transportation, ensures the safe and convenient movement of pedestrians and vehicles on County roads, operates the traffic system in a safe and efficient manner, and maintains the County's road system, bridges, storm drains, sidewalks, curbs, gutters, alleys, bikeways, streetlights, traffic signals, facilities and related equipment. The Division's services include bridge maintenance, road resurfacing, roadway and related maintenance, snow removal and storm services, trail maintenance, tree maintenance, urban streetscaping, facility engineering, facility maintenance and operations, County security, parking, street lighting, traffic planning, traffic and pedestrian safety, traffic signs and marking, traffic signals and the Advanced Transportation Management System, and transportation management and operations. Administrative services include document duplication, archiving and mail operations, recycling, warehousing, food services, and moving services. For FY05 the Division has a General Fund operating budget of \$51.9 million and staff of 477; an Internal Services Fund budget of \$4.2 million and staff of 29; and a Parking Activities budget of \$19.7 million and staff of 48.

### **Solid Waste Management**

The County implemented a comprehensive program to manage solid waste generated within the County. The elements of the program include an integrated system of methods and technologies, including source reduction, recycling, waste-to-energy, contractual out-of-County landfilling, maintenance of closed landfills, and a reserve permitted landfill within its borders.

The County continues to strive to meet its aggressive goal of achieving a source reduction and recycling rate of 50 percent. As of July 1, 2004, the program included County-provided separate curbside collection from 201,535 single-family households of yard trim, glass bottles and jars, metal and plastic containers, and all types of clean, unsoiled paper. Under a contract with the County, the Maryland Environmental Service (MES) constructed and operates two facilities for the processing and marketing of the materials. The first is a 42-acre composting facility located in the northwest part of the County which processes yard trimming materials collected in conjunction with a ban prohibiting disposal of yard waste. The second is a Materials Recovery Facility (MRF), located mid-County and capable of processing 100 tons of recyclable containers per eight-hour shift (current operations require only one shift). During early FY04, the County began to reap the benefits of a \$1.7 million investment in capital equipment improvements in the MRF. These improvements were completed during FY03. During FY04, the County received \$2,280,038 in material sales revenue, an increase of \$1,342,096 over the prior year. To assure the processing and marketing of all County residential mixed paper collected, the County utilizes a long-term agreement with Office Paper Systems (OPS), which began in July 2002. The County also enacted mandatory multi-family and commercial recycling regulations, and conducts technical outreach and enforcement in this connection.

A large percentage of the County's non-recycled waste is accepted at the County's Shady Grove Transfer Station and transported by rail to the County's mass burn Resource Recovery Facility (RRF) adjacent to the Mirant Corporation power plant near Dickerson, Maryland. The RRF, with a permitted capacity of 657,000 tons per calendar year, is operated by Covanta Montgomery Inc., and began commercial operations in August 1995. The RRF generates electricity which is sold under a long term contract to Mirant. In October 1997, the County began the export of RRF residue and non-processible waste under a long-term disposal contract utilizing committed capacity at an out-of-County landfill. A new landfill, within the County (known as Site 2) and located approximately two miles from the RRF, was permitted (refuse disposal permit) with adequate capacity for the disposal of all ash, by-pass, and non-processible waste. Under a County Council resolution adopted in May 1996, the County will not develop the Site 2 landfill unless economic conditions or changes in law render out-of-County waste disposal infeasible. The Oaks Landfill discontinued accepting solid waste in October 1997, and all capping and closure activities are complete. The Solid Waste Enterprise Fund maintains restricted cash sufficient to complete 30-year post-closure requirements.

## **Transportation**

### *Ride-On Bus System*

The County Ride-On bus system, designed to complement the service provided by other transit operators in the County, operates on 82 routes. All of those routes serve one or more of the 12 Metrorail Red Line Stations in the County. In FY04, approximately 23 million passenger trips took place on the County system. The entire fleet consists of 257 buses owned and operated by the County, and 96 smaller buses owned by the County and operated by a contractor.

### *Parking Districts*

There are four parking lot districts in the major urbanized areas of the County. Prior to 1987, general obligation bonds were issued by the County to finance the construction of parking facilities in these areas. In 1987, the County began using parking revenue bonds. A special ad valorem tax is levied on certain commercial and residential property located within each district to service debt used to finance parking facilities within the district, the maintenance and operation of such facilities, and capital construction projects within each district. Other significant sources of revenue used to finance the parking program are meter collections, fees from off-street lots and parking garages, and parking fines. The County issued parking revenue bonds in the amount of \$81 million for land acquisition, construction, repair and renovation of parking facilities. The four districts collectively have 18 garages with a total of approximately 16,325 parking spaces, 24 surface lots with 2,070 spaces, and 2,195 on-street metered spaces.

### *Airports*

The County is served by three major airports located within 35 miles of Rockville, the County seat. These airports provide high levels of short, long, and international flight services.

Ronald Reagan Washington National Airport is located in Arlington County, Virginia, across the Potomac River from Washington, D.C. Reagan National is accessible to Montgomery County by Metrorail. In 2003, the airport served over 14.2 million passengers on commercial, general aviation and commuter flights, a 10.4 percent increase from 2002.

Dulles International Airport is located in adjacent Fairfax/Loudoun counties, Virginia, and offers commercial, general aviation and commuter service. Dulles served over 16.9 million passengers in 2003, with over 4.0 million of those passengers on international flights. The 16 mile Dulles Access Highway provides two dedicated lanes in each direction and a direct connection to Interstate 66 and the Capital Beltway.

Baltimore-Washington International Airport (BWI) is located in Anne Arundel County, Maryland. Nearly 20.2 million passengers used the airport in 2003, a 5.6 percent increase from 2002. BWI is currently in the midst of a \$1.8 billion expansion program, which will increase roadway and parking capacity, and add two skywalks, an expanded concourse, and a new rental car facility. The airport is accessible from the County via the Beltway and either Interstate 95 or the Baltimore/Washington Parkway.

### *Metrorail Transit System*

Metrorail is a 106-mile regional network connecting Washington, D.C. with the expanding Maryland and Virginia suburbs. It includes 38.3 miles of rapid transit services in the District of Columbia, 38.3 miles in Maryland and 29.4 miles in Virginia.

Services of the Washington Metropolitan Area Transit Authority (Metro) are the backbone of the County transit system. Providing service to the County are twelve rapid rail stations with 13,368 parking spaces and additional service by 150 Metrobuses. With the opening of the final Metrorail station in the County (Glenmont) in July 1998, there are now 18.4 miles of rail service operating in the County. Each weekday approximately 160,000 trips are made on Metrorail in Montgomery County. In response to Metro parking demands, 2,900 additional parking spaces recently opened in the County.

### *Metrobus*

Another significant element in the mass transit system is Metrobus, which carries 15 million passengers annually on major trunk lines such as East-West Highway, Georgia Avenue, Viers Mill Road, and Colesville Road. Approximately 150 Metrobuses operate on 39 routes in the County.

### *MARC Rail*

The Maryland Mass Transit Administration operates MARC commuter rail service with 10 stations in the County. County residents make approximately 2,500 trips on MARC each weekday. There are also privately operated commuter bus services into Montgomery County from Hagerstown, Frederick, and Columbia, Maryland, subsidized by the Maryland Department of Transportation, connecting to Metrorail stations in the County.

## **Water and Sewer Service**

Operation and maintenance of the public water and sewer systems in the County (exclusive of the City of Rockville and the Town of Poolesville) is the responsibility of a bi-county agency, the Washington Suburban Sanitary Commission (WSSC). WSSC operates under State law and is governed by a six-member Commission. The county executives of Montgomery County and Prince George's County each appoint three members, subject to confirmation by the respective county councils. The FY05 approved operating budget for WSSC totals \$465.3 million; the approved capital budget totals \$225.6 million.

The Potomac and Patuxent Rivers are WSSC's two major sources of raw water supply, with filtration plants located in Potomac and Laurel, respectively. WSSC has 14 billion gallons of water supply storage and an effective filtration capacity of 320 million gallons per day (MGD). Two reservoirs, Jennings Randolph Reservoir near Bloomington on the North Branch Potomac River and Little Seneca Lake near Boyds on Little Seneca Creek can supplement flows to Potomac River water users, including WSSC and Rockville, with approximately 17 billion gallons of raw water, if needed during low flow periods. An approved expansion of the Patuxent Filtration Plant will increase normal capacity there from 56 MGD to 72 MGD, and emergency capacity from 72 MGD to 120 MGD.

Most of the sewage collected by WSSC's systems is conveyed for treatment at the Blue Plains Wastewater Treatment Plant ("Blue Plains") in Washington, D.C. Blue Plains, owned and operated by the District of Columbia Water and Sewer Authority (DC WASA), has a treatment capacity of 370 MGD, of which WSSC's allocated capacity totals approximately 170 MGD. The County maintains membership on the DC WASA Board. WSSC's Seneca Creek Wastewater Treatment Plant provides 20 MGD of treatment capacity in the Seneca basin, serving the communities of Gaithersburg, Germantown, and Clarksburg. The County's Water and Sewer Plan allows for an ultimate capacity of 26 MGD at the Seneca Plant, if needed. WSSC also operates two smaller treatment plants in the county which serve the communities of Damascus and Hyattstown.

WSSC maintains a contract program for annually cleaning, removing debris from, and mortar lining of several miles of water main. There is a routine fire hydrant inspection program, and an extensive, expanding preventive maintenance

effort is currently under way. The Commission will expand its sewerage system rehabilitation and reconstruction program over the next several years, addressing rehabilitation needs through a series of sanitary sewer evaluation studies which will focus on each major sewershed in the two counties.

The City of Rockville operates its own water and wastewater system, which serves approximately 90 percent of the City. The City's Sandy Landing Road Water Treatment Plant in Potomac draws raw water from the Potomac River. Rockville is investing \$10 million to upgrade its Water Treatment System to meet three objectives: rehabilitate the 40-year old plant, including raw and finished water pumps, to reduce maintenance requirements; upgrade the treatment process to meet stricter environmental standards; and expand the production capability to meet future demand. The construction program began in the early 1990s and will be completed by 2005. The State approved the City's request for a rated capacity expansion of the plant from 8.0 MGD to 12.1 MGD to serve projected growth. The City's sewage flows through the WSSC system for treatment at Blue Plains. The City's allotted capacity at Blue Plains is 9.3 MGD, which is included in WSSC's total allocation of 170 MGD. Rockville initiated a sanitary sewer evaluation study program for the Cabin John sewershed in 2003.

The Town of Poolesville also operates its own water and wastewater systems, which serve the majority of the Town. Raw water for the Town's system is supplied by nine groundwater wells, with an average daily demand of approximately 0.6 MGD. The Town's own wastewater treatment plant operates at a treatment capacity of 0.625 MGD. The Town is proceeding with the drilling of new wells to supplement its existing supply; designs for a 10th well are underway. The Town received a new discharge permit from the State and is in the process of expanding its wastewater treatment capacity to 0.725 MGD to serve planned growth in the community and upgrading the facility to improve the treatment process.

## **Utilities**

Potomac Electric Power Company (PEPCO) serves the major portion of the County, with additional service from the Baltimore Gas and Electric Company (BGE), and Allegheny Power Company. Three natural gas transmission pipeline companies (Columbia Gas Transmission, Dominion Transmission, and Transcontinental Gas Pipeline Corporation) traverse the County, supplying it with Appalachian and Southwest natural gas. Washington Gas distributes this natural gas.

In early 1999, the Maryland General Assembly enacted The Electric Customer Choice and Competition Act of 1999 that effectively deregulates the market for electric power generation. Under a companion act (Senate Bill 344 / House Bill 366), the General Assembly restructured the tax laws affecting the electric industry to ensure that Maryland companies are not put at a competitive disadvantage in relation to out-of-state electric generators. The tax law restructuring accounted for potential revenue losses at both the State and local level, and effectively mitigated any adverse tax impact to county and municipal governments.

Through November 2004, only PEPCO had taken advantage of the Customer Choice and Competition Act regarding the disposition of its generation assets. PEPCO sold these assets in 2000 to the Mirant Corporation, which now runs the generating units in the Dickerson area of the County. PEPCO continues to own and operate its transmission and distribution system.

## **Financial Institutions**

The State of Maryland oversees 147 FDIC insured financial institutions, which in turn operate 1,676 branch banking locations with an estimated \$82 billion in deposits. Montgomery County accommodates 30 of these institutions and dominates the majority market share of these deposits with an estimated \$21 billion in deposits. The County's financial institutions, comprised of 21 commercial and national banks with 201 branch locations and 9 federal savings and loan banks with 86 branch locations, represent 17.1% of the total branch locations within the State of Maryland. In addition to these FDIC institutions, the County has 19 national credit unions with an estimated \$1.8 billion in deposits and a membership base of over 297,000.

**Table 2**  
**Summary of Market Share**  
**By County**  
**As of June 30, 2004**

<u>City/County</u>	<u>Number of Branch Offices</u>	<u>Deposits (000)</u>	<u>Market Share</u>
Montgomery	287	\$21,038,931	26%
Baltimore City	120	13,318,446	16%
Baltimore	290	12,830,132	16%
Prince George's	160	6,865,824	8%
Anne Arundel	161	6,259,586	8%

**Table 3**  
**FDIC Institutions Market Share**  
**As of June 30, 2004**

<u>Institution Name</u>	<u>Number of Branch Offices</u>	<u>Deposits (000)</u>	<u>Market Share</u>
Chevy Chase	64	\$5,113,283	24%
Bank of America	31	3,039,593	14%
Suntrust	41	2,810,513	13%
Wachovia	13	2,757,228	13%

Source: FDIC Summary of Market Share Report for the State of Maryland, NCUA Credit Union Data Report (customized).

## Healthcare

There are five accredited hospitals located within the County: Holy Cross Hospital in Silver Spring, Suburban Hospital in Bethesda, Washington Adventist Hospital in Takoma Park, Shady Grove Adventist Hospital, near Gaithersburg, and Montgomery General Hospital in Olney. One military hospital, Bethesda Naval Hospital, has a facility in the County and the National Institutes of Health in Bethesda operates one of the world's foremost centers of medical research. Also accessible to the County are Frederick Memorial Hospital in Frederick County; Laurel Regional Hospital and Prince George's Hospital Center, in Prince George's County; Walter Reed Army Medical Center, and eight other hospitals in the District of Columbia; and 10 hospitals in Northern Virginia.

## Travel and Tourism

Travel and tourism generates over \$1 billion in travel-related expenditures, \$325 million in payroll and 14,700 jobs in the County. Average annual employment in tourism in 2001 was 14 percent of the State's total tourism employment. Average local tax receipts in 2001 were in excess of \$40 million; state tax receipts generated were over \$56 million.

The Conference and Visitors Bureau of Montgomery County, Maryland, Inc. (CVB) is a public-private non-profit membership organization dedicated to the promotion of travel and tourism to the County. The CVB serves as a subcontractor to the Montgomery County Department of Economic Development. On behalf of its membership, the Bureau participates in travel industry trade shows across the country, sponsors familiarization tours for tour operators, travel agents and travel writers, implements a \$200,000 advertising campaign annually, and manages a Visitors Information Center minutes off the I-270 corridor. The Bureau was instrumental in helping to establish the Bethesda North Conference Center, an executive-level, state-of-the-art meeting facility located adjacent to the White Flint Metro station. This facility opened in November 2004.

## ***County Employees***

The County government employs approximately 8,272 full- and part-time employees and has 8,901 authorized positions. Approximately 6,154 employees are in bargaining unit positions and are represented by one of the three labor organizations that are certified under County law to bargain over the wages, fringe benefits, and working conditions of bargaining unit employees. The table below summarizes the current status of County labor agreements.

**Table 4**  
**County Bargaining Units**

<u>Bargaining Unit</u>	<u>Number of Employees</u>	<u>Contract Expiration Date</u>
Service, Labor & Trades (MCGEO)	1,072	June 30, 2007
Office, Professional & Technical (MCGEO)	3,151	June 30, 2007
Police officers (FOP)	1,062	June 30, 2007
Firefighters/Rescuers (IAFF)	869	June 30, 2005

The County concluded bargaining with the Municipal and County Government Employees Organization, United Food and Commercial Workers Local 1994 (MCGEO), and the Fraternal Order of Police, Lodge #35, Inc. (FOP) for new agreements that took effect on July 1, 2004. This year the County commences bargaining with the Montgomery County Career Fire Fighters Association, IAFF Local 1664, to reach a new term agreement which will go into effect on July 1, 2005.

Public school teachers in the County are not County government employees, but are employed by the Montgomery County Board of Education (the "Board"). The Board has 28,005 authorized positions (including substitute teachers and other temporary employees), and employs approximately 20,987 full- and part-time employees. This latter number includes 189 non-represented employees and 20,798 employees in bargaining units. The Board bargains collectively with employees on matters concerning wages, hours and other conditions of employment. There are three bargaining units, which are comprised of teachers, professional/administrative and support/maintenance employees, as presented in the table below.

**Table 5**  
**Board of Education Bargaining Units**

<u>Bargaining Unit</u>	<u>Number of Employees</u>	<u>Contract Expiration Date</u>
Teachers (MCEA)	11,634	June 30, 2007
Professional/Administrative (MCAASP)	602	June 30, 2006
Support Services (MCCSSE)	8,562	June 30, 2005

*(The remainder of this page has been left blank intentionally.)*

## **DEBT SUMMARY**

### ***Overview***

The County Government, four of its agencies, and municipalities are authorized by State law and/or County Charter to issue debt to finance capital projects. Consistent with County fiscal policy, the County issues debt to finance a major portion of the construction of long-lived additions or improvements to the County's publicly-owned infrastructure. The County's budget and fiscal plan for these improvements is known as the Capital Improvements Program (CIP). Bonds are repaid to bondholders with a series of principal and interest payments over a period of years, known as debt service. In this manner, the initial high cost of capital improvements is absorbed over time and assigned to current and future citizens benefiting from the facilities. Due to various Federal, State, and local tax policies, interest rates are lower than in the private sector.

In addition to the issuance of general obligation or revenue bonds, the County initially finances the cost of long-term capital assets with short-term paper known as Bond Anticipation Notes (BANs)/Commercial Paper, which the County intends to retire with the proceeds of long-term bonds. Additionally, the County from time to time enters into other long-term obligations, such as long-term loans, which are classified as long-term notes payable.

The various components of the County's debt described above are categorized as either direct or overlapping. Direct debt is the total bonded debt of the County, and constitutes the direct obligations of the County that impact its taxpayers. Components of Montgomery County direct debt are its general obligation bonds, BANs/commercial paper, long-term notes payable, and revenue bonds issued by the County.

Overlapping debt includes all borrowings of other County agencies, incorporated municipalities, and special taxing or development districts, which may impact those County tax- or rate-payers who are residents of those municipalities or special districts. More broadly, overlapping debt can help reveal the degree to which the total economy is being asked to support long-term fixed commitments for governmental facilities.

Certain direct and overlapping debt is additionally classified as Self-Supporting Debt. Such obligations are issued for projects that produce sufficient revenues to retire the debt. The bonds are not supported by the taxing power of the governmental entity issuing them.

The County's Net Direct and Overlapping Debt is derived by subtracting Self-Supporting Debt from the Total Direct and Overlapping Debt.

A summary statement of direct and overlapping debt for Montgomery County is provided in Table 6 on the following page. For additional discussion of particular elements of the County's debt, see the sections that follow.

*(The remainder of this page has been left blank intentionally.)*

**Table 6**  
**Statement of Direct and Overlapping Debt**  
**As of June 30, 2004**

Direct Debt:		
General Obligation Bonds Outstanding	\$1,329,778,054	
Short-Term BANs/Commercial Paper Outstanding	150,000,000	
Long-Term Notes Payable	1,270,924	
Revenue Bonds Outstanding	<u>70,915,000</u>	
Total Direct Debt		\$1,551,963,978
Overlapping Debt:		
Gross Debt:		
Washington Suburban Sanitary Commission		
Applicable to Montgomery County	1,007,358,466	
Housing Opportunities Commission	623,452,969	
Montgomery County Revenue Authority	74,975,000	
Maryland-National Capital Park and Planning Commission		
Applicable to Montgomery County	46,988,885	
Kingsview Village Center Development District	2,345,000	
West Germantown Development District	15,835,000	
Towns, Cities and Villages within Montgomery County	<u>73,168,222</u>	
Total Overlapping Debt		<u>1,844,123,542</u>
Total Direct and Overlapping Debt		3,396,087,520
Less Self-Supporting Debt:		
County Government Revenue Bonds	70,915,000	
Washington Suburban Sanitary Commission		
Applicable to Montgomery County	1,007,358,466	
Housing Opportunities Commission	623,452,969	
Montgomery County Revenue Authority	74,975,000	
Maryland-National Capital Park and Planning Commission		
Applicable to Montgomery County	<u>13,353,885</u>	
Total Self-Supporting Debt		<u>(1,790,055,320)</u>
Net Direct and Overlapping Debt		<u>\$1,606,032,200</u>
Ratio of Debt to June 30, 2004 Assessed Valuation of (100% Assessment):		\$93,226,806,877
Direct Debt		1.66%
Net Direct Debt *		1.59%
Direct and Overlapping Debt		3.64%
Net Direct and Overlapping Debt		1.72%
Ratio of Debt to June 30, 2004 Market Value of:		\$102,055,016,189
Direct Debt		1.52%
Net Direct Debt *		1.45%
Direct and Overlapping Debt		3.33%
Net Direct and Overlapping Debt		1.57%

\* Net Direct Debt of \$1,481,048,978 is derived by subtracting direct self-supporting debt, which consists only of County Government Revenue Bonds, from Total Direct Debt.



## ***Debt Affordability***

Once committed, debt service represents a major continuing claim on County resources that must be kept to affordable levels within the annual operating requirements of the County in order to avoid excessive pressures on operating budgets. To assure such affordable levels, the County's general obligation debt is subject to the following tests: 1) the self-imposed, but Charter-required, spending affordability guidelines and 2) the State Law-mandated Legal Debt Limit.

The County Council annually adopts spending affordability guidelines for the capital budget. The guidelines provide for the total amount of general obligation debt issued by the County and by the Maryland-National Capital Park and Planning Commission that may be planned for expenditure in the subsequent two fiscal years and for the six-year Capital Improvements Program. Consideration of the guidelines is based on a number of economic and financial factors or criteria for debt affordability. These criteria are described in the County's Fiscal Policy and provide a foundation for judgements about the County's capacity to issue debt and its ability to retire the debt over time.

The Annotated Code of Maryland, Article 25A, Section 5(P), authorizes borrowing of funds and issuance of bonds up to a maximum of the sum of six percent of the assessed valuation of all real property and 15 percent of the assessed valuation of all personal property within the County. Article 25A, Section 5(P) provides that obligations having a maturity not in excess of 12 months shall not be subject to, or be included in, computing the County's legal debt limitation. However, the County includes its BANs/commercial paper in such calculation because it intends to repay such notes with the proceeds of long-term debt to be issued in the near future. The results of the County's legal debt limit computation are displayed in Table 7 below.

**Table 7**  
**Statement of Legal Debt Margin**  
**As of June 30, 2004**

June 30, 2004 Assessed Valuation – Real Property	\$89,263,005,267
Debt Limit (% of Assessed Valuation)	6%
Subtotal Limitation – Real Property	<u>\$ 5,355,780,316</u>
June 30, 2004 Assessed Valuation – Personal Property	\$3,963,801,610
Debt Limit (% of Assessed Valuation)	15%
Subtotal Limitation – Personal Property	<u>\$ 594,570,242</u>
Total Assessed Valuation – Real and Personal Property	\$93,226,806,877
Legal Limitation for the Borrowing of Funds and the Issuance of Bonds	\$5,950,350,558
Less Amount of Debt Applicable to Debt Limit:	
General Obligation Bonds Outstanding	\$1,329,778,054
Short-Term BANs/Commercial Paper	150,000,000
Long Term Notes Payable	<u>1,270,924</u>
Net Direct Debt	<u>1,481,048,978</u>
Legal Debt Margin	<u>\$4,469,301,580</u>
Net Direct Debt as a Percentage of Assessed Valuation	<u>1.59%</u>

## ***Direct Debt***

### **General Obligation Bonds**

County general obligation bonds are secured by the full faith, credit and taxing powers of the County. Bonds are normally issued with a 20-year term, with five percent of the principal retired each year. This practice produces equal annual payments of principal over the life of the bond issue and declining annual payments of interest on the outstanding bonds. The Charter limits the term of any bond to 30 years.

Over the past three decades the composition of County general obligation debt has changed. As more general County bonding was shifted towards schools and roads, a related shift occurred away from general County facilities, parks, and mass transit. In addition, in recent years general obligation debt has not been issued to finance parking lot district or solid waste projects. Such projects are financed with revenue bonds or current revenues.

The General Obligation Bonded Debt Ratios displayed below measure the burden of the County's net direct debt, which consists primarily of general obligation bonds and outstanding BANs/commercial paper, and debt service payments on such. As with the calculation of the Legal Debt Limit, the County includes its BANs/commercial paper in these ratio calculations because it intends to repay such notes with the proceeds of general obligation debt to be issued in the near future. The ratios are as follows: 1) net direct debt as a percentage of full (market) value of taxable property; 2) debt service on outstanding general obligation bonds as a percentage of General Fund expenditures and transfers out; 3) net direct debt per capita; 4) net direct debt per capita as a percentage of per capita income; and 5) rate of replacement of general obligation bond principal (payout ratio) in ten years. The results of these indicators are displayed in Table 8 below.

**Table 8**  
**General Obligation Bonded Debt Ratios**  
**1995 – 2004**

<u>Fiscal Year</u>	<u>Net Direct Debt to Market Value</u>	<u>GO Bond Debt Service to General Fund Expenditures</u>	<u>Net Direct Debt Per Capita*</u>	<u>Net Direct Debt Per Capita to Per Capita Income**</u>	<u>GO Bond Payout Ratio</u>
1995	1.34%	9.96%	\$ 1,159	3.02%	70.00%
1996	1.62	10.04	1,384	3.50	70.52
1997	1.47	10.22	1,277	3.14	71.39
1998	1.66	9.71	1,433	3.32	72.58
1999	1.56	9.66	1,374	3.02	72.33
2000	1.64	9.17	1,473	3.11	72.06
2001	1.57	8.72	1,473	2.97	71.83
2002	1.55	8.32	1,516	3.03	71.32
2003	1.45	8.47	1,541	2.90	71.10
2004	1.45	7.98	1,591	2.88	70.94

\* Amounts restated due to restatement of population data.

\*\* Figures restated due to restatement of Actual Income in May 2001.

*(The remainder of this page has been left blank intentionally.)*

The County's general obligation indebtedness by issue is presented in Table 9. Annual debt service payments for the County's debt is displayed in Table 10. Table 11 sets forth the amount of general obligation bonds authorized to be issued by the County as of June 30, 2004.

**Table 9**  
**General Obligation Debt of the County**  
**As of June 30, 2004**

<u>Issue</u>	<u>Dated Date</u>	<u>Original Issue Size</u>	<u>Original Interest Rates</u>	<u>TIC*</u>	<u>Maturity</u>	<u>Principal Outstanding June 30, 2004</u>
GO Bonds	05/01/85	\$ 65,000,000	7.60-8.60%	8.2205%	1986-05	\$ 3,250,000
GO Bonds	04/01/86	50,000,000	5.80-6.30	6.0956	1987-06	5,000,000
GO Refunding Bonds	07/01/92	273,038,054	2.75-5.80	5.7431	1993-10	122,063,054
GO Bonds	10/01/93	100,000,000	4.40-4.90	4.6899	1994-13	5,000,000
GO Bonds	10/01/94	100,000,000	5.20-6.125	5.7958	1995-08	10,000,000
GO Bonds	03/15/96	120,000,000	5.10-5.50	5.2946	1997-08	18,000,000
GO Bonds	04/15/97	115,000,000	5.00-5.375	5.3226	1998-17	40,250,000
GO Refunding Bonds	01/01/98	69,510,000	3.90-5.25	4.6400	2003-15	68,735,000
GO Bonds	04/01/98	115,000,000	4.875	4.7607	1999-18	69,000,000
GO Bonds	04/01/99	120,000,000	4.00-5.00	4.4764	2000-19	84,000,000
GO Bonds	01/01/00	130,000,000	5.00-6.00	5.4853	2001-13	52,000,000
GO Bonds	02/01/01	140,000,000	4.00-5.00	4.5447	2002-21	119,000,000
GO Refunding Bonds	11/15/01	146,375,000	3.60-5.25	4.5107	2003-19	144,530,000
GO Bonds	02/01/02	160,000,000	3.50-5.00	4.4619	2003-22	144,000,000
GO Refunding Bonds	11/15/02	93,595,000	2.75-5.25	3.2799	2005-13	93,595,000
GO Bonds	05/01/03	155,000,000	1.50-4.00	3.6304	2004-23	147,250,000
GO Refunding Bonds	05/01/03	49,505,000	2.00-5.00	2.2900	2004-11	49,505,000
GO Bonds	03/15/04	154,600,000	3.00-5.00	3.8290	2005-24	<u>154,600,000</u>
Total						<u>\$1,329,778,054</u>

\* True Interest Cost.

*(The remainder of this page has been left blank intentionally.)*

**Table 10**  
**Summary of General Obligation Bond**  
**Debt Service Requirements by Fiscal Year**  
**As of June 30, 2004**

Fiscal Year	General Obligation Bonds		
	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2005	\$ 114,615,000	\$ 61,698,094	\$ 176,313,094
2006	111,320,000	55,941,823	167,261,823
2007	111,210,000	50,706,178	161,916,178
2008	110,940,000	45,424,140	156,364,140
2009	91,131,683	52,869,557	144,001,240
2010	88,062,086	44,547,317	132,609,403
2011	85,104,285	35,184,980	120,289,265
2012	80,610,000	28,612,409	109,222,409
2013	77,195,000	24,714,933	101,909,933
2014	71,215,000	21,219,561	92,434,561
2015	66,150,000	17,916,655	84,066,655
2016	60,925,000	14,884,581	75,809,581
2017	54,750,000	12,063,688	66,813,688
2018	48,980,000	9,390,413	58,370,413
2019	43,210,000	7,067,725	50,277,725
2020	37,190,000	5,045,725	42,235,725
2021	30,480,000	3,461,737	33,941,737
2022	23,480,000	2,053,887	25,533,887
2023	15,480,000	976,712	16,456,712
2024	<u>7,730,000</u>	<u>338,187</u>	<u>8,068,187</u>
Total	<u>\$1,329,778,054</u>	<u>\$494,118,302</u>	<u>\$1,823,896,356</u>

*(The remainder of this page has been left blank intentionally.)*

**Table 11**  
**General Obligation Bonds Authorized – Unissued**  
**As of June 30, 2004**

<u>Purpose</u>	<u>Chapter</u>	<u>Act</u>	<u>Amount</u>	<u>Amount Unissued</u>
General County, Parks, and Consolidated Fire Tax District	22	2000	\$ 78,300,000	\$ 62,090,000
	17	2001	35,200,000	35,200,000
	21	2002	4,700,000	4,700,000
	17	2003	<u>63,600,000</u>	<u>63,600,000</u>
			<u>181,800,000</u>	<u>165,590,000</u>
Road & Storm Drainage	22	2000	77,600,000	44,910,000
	17	2001	10,630,000	10,630,000
	21	2002	34,800,000	34,800,000
	17	2003	<u>1,700,000</u>	<u>1,700,000</u>
			<u>124,730,000</u>	<u>92,040,000</u>
Public Schools and Community College	17	2001	159,755,000	3,268,000
	21	2002	104,800,000	104,800,000
	17	2003	<u>52,400,000</u>	<u>52,400,000</u>
			<u>316,955,000</u>	<u>160,468,000</u>
Mass Transit	22	2000	1,400,000	105,000
	17	2001	6,700,000	6,700,000
	21	2002	1,600,000	1,600,000
	17	2003	<u>900,000</u>	<u>900,000</u>
			<u>10,600,000</u>	<u>9,305,000</u>
Public Housing	17	1981	2,650,000	2,590,000
	13	1982	995,000	995,000
	8	1983	230,000	230,000
	20	1985	900,000	900,000
	13	1986	<u>855,000</u>	<u>855,000</u>
			<u>5,630,000</u>	<u>5,570,000</u>
Parking Districts: Silver Spring	9	1983	2,945,000	2,045,000
	6	1984	<u>1,220,000</u>	<u>1,220,000</u>
			<u>4,165,000</u>	<u>3,265,000</u>
Bethesda	19	1981	7,325,000	3,040,000
	14	1982	775,000	775,000
	10	1983	<u>1,050,000</u>	<u>1,050,000</u>
			<u>9,150,000</u>	<u>4,865,000</u>
Total Parking Districts			<u>13,315,000</u>	<u>8,130,000</u>
Total General Obligation Bonds			<u>\$653,030,000</u>	<u>\$441,103,000</u>

In addition to the above noted authority, the County has authority under the provisions of section 56-13 of the Montgomery County Code 1984, as amended, to issue County bonds, within statutory debt limits, to finance approved urban renewal projects.

### Current Revenue Substitution for General Obligation Bonds (PAYGO)

The County follows a practice of budgeting significant current revenue substitution for general obligation bonds over the six-year Capital Improvements Program. This “pay-as-you-go” approach to funding debt-eligible capital improvement projects, known as PAYGO, helps manage the County’s debt burden and retain funding flexibility. The significant amounts of PAYGO substitutions over the past nine years, and planned for substitution over the six years beginning FY05, are displayed below.

**Table 12**  
**PAYGO Substitutions**  
**(Actual FY96-04, Budgeted FY05-10)**

<u>Fiscal Year</u>	<u>PAYGO Amount</u>	<u>Fiscal Year</u>	<u>PAYGO Amount</u>
1996	\$ 7,000,000	2004	\$ 6,240,000
1997	3,925,000	2005	52,250,000
1998	13,000,000	2006	57,917,000
1999	13,400,000	2007	48,473,000
2000	24,600,000	2008	44,220,000
2001	40,705,000	2009	42,931,000
2002	40,155,000	2010	45,001,000
2003	17,374,000		

### Short-Term Bond Anticipation Notes/Commercial Paper

The County utilizes Bond Anticipation Notes (BANs)/commercial paper for short-term capital financing of capital expenditures with the expectation that the principal amount will be refinanced with the proceeds of long-term general obligation bonds. Interest costs incurred are usually at lower rates than with long-term financing. The County has BANs/commercial paper authorized, issued, and outstanding as financing sources for capital construction and improvements. BANs/commercial paper are issued at varying maturities to a maximum of 270 days, under a note program that matures on June 30, 2005. The County reissues the notes upon maturity until they are refinanced with long-term bonds. Changes in BANs/commercial paper during the period July 1, 2003 through June 30, 2004 are presented in Table 13 below.

**Table 13**  
**Bond Anticipation Notes Outstanding**  
**As of June 30, 2004**

<u>Issue</u>	<u>Balance July 1, 2003</u>	<u>BANs Issued</u>	<u>BANs Retired</u>	<u>Balance June 30, 2004</u>
BAN Series 2002-B	\$ 45,000,000	\$ --	\$ 45,000,000	\$ --
BAN Series 2002-C	80,000,000	--	80,000,000	--
BAN Series 2002-D		75,000,000	40,000,000	35,000,000
BAN Series 2002-E	--	115,000,000	--	115,000,000
Total	<u>\$125,000,000</u>	<u>\$190,000,000</u>	<u>\$165,000,000</u>	<u>\$150,000,000</u>

## Long-Term Notes

In September 1998, the County entered into a \$1,800,000 long-term loan agreement with the Maryland Industrial and Commercial Redevelopment Fund (MICRF) pursuant to the provisions of Sections 5-501 through 5-507 of Article 83A of the Annotated Code of Maryland. The loan was approved by the Maryland State Department of Business and Economic Development. In accordance with the terms of the loan, the proceeds of the loan were reloaned to a private corporation, for purposes of relocation to and renovation of facilities in the County. As a result of certain conditions having been met, \$150,000 of the loan was converted to a State grant. Although it is expected that the loan will be repaid by payments made by the private user, the loan is a full faith and credit obligation of the County.

## Revenue Bonds

County revenue bonds are authorized by the County to finance specific projects such as parking garages and solid waste facilities, with debt service to be paid from pledged revenues received in connection with the projects. Proceeds from revenue bonds may be applied only to the costs of projects for which they are authorized. They are considered separate from general obligation debt and do not constitute a pledge of the full faith and credit or unlimited taxing power of the County.

County revenue bonds are used in the Bethesda and Silver Spring Parking Districts, supported by parking fees and fines, together with parking district property taxes. County revenue bonds were also issued for County Solid Waste Management facilities, supported with the revenues of the Solid Waste Disposal System. County revenue bond indebtedness by issue is presented in Table 14. Annual debt service payments for the County's revenue bond debt are displayed in Table 15. Table 16 sets forth the amount of revenue bonds authorized to be issued by the County as of June 30, 2004.

**Table 14**  
**Revenue Bond Debt of the County**  
**As of June 30, 2004**

<u>Issue</u>	<u>Dated Date</u>	<u>Original Issue Size</u>	<u>Original Interest Rates</u>	<u>TIC*</u>	<u>Maturity</u>	<u>Principal Outstanding June 30, 2004</u>
Parking Refunding Revenue Bonds (Bethesda PLD)	05/01/02	\$ 14,560,000	3.00%-5.00%	3.1941%	2003-09	\$ 10,230,000
Parking Refunding Revenue Bonds (Silver Spring PLD)	05/01/02	12,130,000	3.00%-5.00%	3.1398%	2003-09	8,160,000
Parking Revenue Bonds (Bethesda PLD)	06/01/02	26,000,000	3.00%-4.75%	4.4231%	2003-21	24,005,000
Solid Waste Refunding Revenue Bonds	04/03/03	31,075,000	3.00%-5.00%	3.5982%	2004-13	<u>28,520,000</u>
Total						<u>\$ 70,915,000</u>

\* True Interest Cost.

**Table 15**  
**Summary of Revenue Bond Debt Service Requirements by Fiscal Year**  
**As of June 30, 2004**

<u>Fiscal Year</u>	<u>Revenue Bonds</u>		
	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2005	\$ 8,260,000	\$ 2,871,541	\$ 11,131,541
2006	8,530,000	2,618,691	11,148,691
2007	8,820,000	2,346,165	11,166,165
2008	6,535,000	1,958,415	8,493,415
2009	6,810,000	1,713,365	8,523,365
2010	4,620,000	1,410,478	6,030,478
2011	4,800,000	1,234,228	6,034,228
2012	4,995,000	1,042,228	6,037,228
2013	4,045,000	805,527	4,850,527
2014	1,425,000	615,517	2,040,517
2015	1,490,000	554,955	2,044,955
2016	1,560,000	489,767	2,049,767
2017	1,635,000	421,127	2,056,127
2018	1,715,000	347,552	2,062,552
2019	1,800,000	268,662	2,068,662
2020	1,890,000	184,062	2,074,062
2021	<u>1,985,000</u>	<u>94,287</u>	<u>2,079,287</u>
Total	<u>\$ 70,915,000</u>	<u>\$ 18,976,567</u>	<u>\$ 89,891,567</u>

**Table 16**  
**Revenue Bonds Authorized - Unissued**  
**As of June 30, 2004**

<u>Purpose</u>	<u>Resolution No.</u>	<u>Year</u>	<u>Amount</u>	<u>Amount Unissued</u>
Parking Lot Districts	11-1383	1989	\$ 51,163,000	\$ 42,088,000
	14-921	2001	<u>35,000,000</u>	<u>9,000,000</u>
			<u>86,163,000</u>	<u>51,088,000</u>
Solid Waste Disposal	12-1010	1993	<u>56,935,000</u>	<u>6,255,000</u>
Total Revenue Bonds			<u>\$143,098,000</u>	<u>\$ 57,343,000</u>

### ***Overlapping Debt***

In addition to the direct debt described above, certain portions of the debt of other governmental entities in the County are payable in whole or in part by the taxpayers of the County. The debt includes general obligation bonds, revenue bonds, mortgages payable, notes payable, BANs/commercial paper, certificates of participation, and bank loans.

### **Washington Suburban Sanitary Commission**

The Washington Suburban Sanitary Commission (WSSC) issues general construction bonds to finance construction of small diameter water distribution and sewage collection lines, and required support facilities in Montgomery and Prince George's Counties. Generally, these are considered general obligation bonds because they are payable from unlimited ad valorem taxes upon all the assessable property in the WSSC district. They are actually paid through assessments on



properties being provided service and are considered to be overlapping debt rather than direct debt of the County. WSSC Water Supply and Sewage Disposal Bonds, which finance major system improvements, including large diameter water distribution and sewage collection lines, are paid from non-tax sources including user charges collected through water and sewer rates, which also cover all system operating costs. They are backed by unlimited ad valorem taxes upon all the assessable property within the WSSC district in addition to mandated rates, fees, and charges sufficient to cover debt service. Pursuant to Section 4-101 of Article 29 of the Annotated Code of Maryland (1997 Replacement Volume and 2000 Cumulative Supplement), the County must guarantee payment of principal and interest on WSSC bonds, unless the WSSC waives such guarantee requirement in accordance with Section 4-103 of Article 29. WSSC waived such guarantee requirement with respect to all outstanding WSSC bonds.

### **Housing Opportunities Commission**

The Montgomery County Housing Opportunities Commission (HOC) issues revenue bonds for its Multi-Family Mortgage Purchase Program and its Single-Family Mortgage Purchase Program which are paid through mortgages and rents. A portion of this revenue bond debt is guaranteed by Montgomery County pursuant to Section 2-103 of Article 44A of the Annotated Code of Maryland. The County may by local law provide its full faith and credit as guarantee of bonds issued by HOC in principal amount not exceeding \$50,000,000. Section 20-32 of the Montgomery County Code provides the method by which the County implemented the guarantee.

### **Montgomery County Revenue Authority**

The Montgomery County Revenue Authority (MCRA) has authority to issue revenue bonds and to otherwise finance projects through notes and mortgages with land and improvements serving as collateral. These are paid through revenues of MCRA's several enterprises, which include golf courses and the Montgomery County Airpark. The County also uses MCRA as a conduit for alternative capital project funding arrangements. These include financing for several County aquatic facilities and the Montgomery County Conference Center. For these projects, the MCRA issues the bonds and the debt service is paid through revenues from long-term lease agreements with the County. See "County Facility Lease Obligations" below.

### **Maryland-National Capital Park and Planning Commission**

The Maryland-National Capital Park and Planning Commission (M-NCPPC) issues general obligation debt for the acquisition and development of local parks and certain special parks and advance land acquisition, with debt limited to that supportable within mandatory tax rates. The Commission also issues revenue bonds funded by its enterprise operations. Pursuant to Section 6-101 of Article 28 of the Annotated Code of Maryland (1997 Replacement Volume and 2000 Supplement), the County must guarantee payment of principal and interest on the debt of M-NCPPC that is not self-supporting.

### **Towns, Cities, and Villages**

The towns of Brookeville, Poolesville, and Washington Grove, the cities of Rockville and Takoma Park, and the Village of Chevy Chase are located wholly within Montgomery County and issued long-term obligations to fund various public amenities such as road and sewer improvements.

### **Special Taxing Districts**

The County created three development districts: Kingsview Village Center, West Germantown, and Clarksburg Town Center. These development districts were created in accordance with Chapter 14 of the Montgomery County Code, the Montgomery County Development District Act enacted in 1994. The creation of these districts allows the County to provide financing, refinancing, or reimbursement for the cost of infrastructure improvements necessary for the development of land in areas of the County with high priority for new development or redevelopment.

Pursuant to Chapter 14, special taxes and/or special assessments may be levied to fund the costs of bonds or other obligations issued on behalf of the respective district. Any bond issued under Chapter 14 is not an indebtedness of the County within the meaning of Section 312 of the Charter. Additionally, any bond issued must not pledge the

full faith and credit of the County, and must state that the full faith and credit is not pledged to pay its principal, interest, or premium, if any. Any bonds issued are not considered liabilities of the County and are not reported in the County's financial statements.

In December 1999, the County issued \$2.41 million in special obligation bonds for the Kingsview Village Center Development District. Special taxes and assessments were levied beginning in FY01 to repay this debt. In April 2002, the County issued two series of special obligation bonds for the West Germantown Development District. The County issued \$11,600,000 of Senior Series 2002A bonds and \$4,315,000 of Junior Series 2002B bonds to finance the construction of infrastructure in the development district. Special taxes and assessments were levied beginning in FY03 to repay this debt. Bonds have not yet been issued for the Clarksburg Town Center development district.

Pursuant to Section 2.07 (g) of the West Germantown bond Indenture, upon the satisfaction of certain assessed value requirements which were met, the holders of the Junior Series 2002B bonds requested that the County issue Additional Bonds in exchange for the Junior Series 2002B bonds. The Additional Bonds will be on a parity with the Series 2002A bonds (i.e., they will be senior lien bonds) and will otherwise have the same terms and conditions as the Series 2002B bonds.

The County was petitioned by property owners to form two additional development districts in the Clarksburg area, Clarksburg Village and Clarksburg Skylark. These districts are in the evaluation phase.

*(The remainder of this page has been left blank intentionally.)*

### ***County Facility Lease Obligations***

The County leases building and office facilities and other equipment under non-cancelable operating leases. Lease agreements typically provide for automatic termination on July 1 of any year in which funds to meet subsequent rental payments are not appropriated. Total costs for operating leases were approximately \$10,265,000 for FY04. Long-term leases with the Maryland Economic Development Corporation (MEDCO) and the Montgomery County Revenue Authority are subject to annual appropriations, but are related to the debt service on bonds that MEDCO and the Revenue Authority issued on the County's behalf.

Following is a listing of significant lease agreements for FY05:

<u>Payee</u>	<u>Location</u>	<u>Use</u>	<u>Total Rent For FY05</u>
Maryland Economic Development Corp.	921 Wayne Avenue, Silver Spring	Parking Garage	\$3,739,600
Eldrige, Inc.	255 Rockville Pike, Rockville	Various Agencies	3,214,500
Montgomery County Revenue Authority	Indoor Swim Centers	Recreation	3,153,111
Maryland Economic Development Corp.	801 Ellsworth Drive, Silver Spring	Parking Garage	2,517,326
Montgomery County Revenue Authority	5701 Marinelli Drive, Rockville	Conference Center	1,904,509
BP Gude LLC	7300 Calhoun Place, Derwood	Juvenile Assessment Center	1,161,270
Argo Orchard Ridge, LC	101 Orchard Ridge Dr., Gaithersburg	DPWT Operations	852,000
Alexandria Real Estate	1300 Quince Orchard Blvd., Gaithersburg	Emergency Communications Center	848,110
Montgomery County Revenue Authority	1301 Piccard Drive, Rockville	Health & Human Services	634,520
Wellstone Corp.	1335 Piccard Drive, Rockville	Health Center	542,900
The Gudelsky Corp.	8630 Fenton Street, Silver Spring	Health Center	440,120
Williams Knolls Joint Venture	12500 Ardennes Avenue, Rockville	Corrections	394,150
WWG 401 North Washington	401 N. Washington Street, Rockville	Commission for Women	367,830
McShea Gaither Road Ltd. Partnership	9125 Gaither Road, Rockville	Police/S.O.D.	294,400
Shady Grove Associates II	9210 Corporate Boulevard, Rockville	Police/S.I.D.	254,850
Washington Real Estate Investment Trust	51 Monroe Street, Rockville	Various Agencies	248,500
Betty B. Casey Trust	8536 Anniversary Circle, Rockville	Records Center/Warehouse	240,000
Washington Real Estate Investment Trust	600 East Jefferson St., Rockville	Community Use of Public Facilities	227,420
SJS Realty Management, Inc.	18749 Frederick Road, Gaithersburg	Police/District 6	212,270
Investment Properties, Inc.	11 N. Washington St., Rockville	Board of Investment Trustees	182,000
Milford Mill Limited Partnership	19627 Fisher Avenue, Poolesville	Poolesville Library	176,894
Pavilion Partners, Inc.	199 E. Montgomery Ave., Rockville	Sheriff's Office	156,000
Scott Group, Inc.	110 N. Washington Street, Rockville	Various Agencies	136,640
Robert Sugar & Helen Rea	8435 Georgia Ave., Silver Spring	Regional Services Center	133,200
Douglas Development	8715 Colesville Rd., Silver Spring	Police/Silver Spring Station	130,250
Spring Street Assoc. Limited Partnership	1109 Spring Street, Silver Spring	Various Agencies	126,896
Halcyon Associates	8663 Grovemont Circle, Gaithersburg	Fire & Rescue/Bomb Squad	117,660

## ***Other Operating Payment Agreements***

### **Lease Revenue Bonds – Metrorail Garage Projects**

The County entered into a Trust Agreement dated June 1, 2002 with Wachovia Bank, N.A. related to the issuance of \$37,880,000 in Lease Revenue Bonds to finance the costs of parking structures and related facilities at the Shady Grove Metrorail Station and the Grosvenor Metrorail Station in Montgomery County. The County leased the garages to the Washington Metropolitan Area Transit Authority (“WMATA”), an interstate compact agency and instrumentality of the District of Columbia, the State of Maryland and the Commonwealth of Virginia.

Pursuant to the Trust Agreement, and a First Supplemental Trust Agreement dated September 1, 2004, additional bonds in the amount of \$4,745,000 were issued by the County on September 28, 2004 to complete construction of the Shady Grove and Grosvenor parking structures and related facilities.

The Bonds are limited obligations of the County payable solely from and secured by a pledge of (1) the revenues and receipts to be derived from the lease of the garages to WMATA and (2) certain funds and accounts established pursuant to the Trust Agreement, including a debt service reserve. The County covenanted to budget, appropriate and pay to the Trustee for deposit in the debt service reserve, at any time in any fiscal year when the amount to the credit thereof is less than required by the Trust Agreement, an amount equal to the deficiency; however, the obligation of the County to make any such payment in any fiscal year is contingent upon the appropriation for such fiscal year by the Montgomery County Council of funds from which such payment can be made. The obligation of the County under the agreement does not constitute a pledge of the full faith and credit or of the taxing powers of the County.

### **Certificates of Participation – Equipment Acquisition Program**

The County entered into a conditional purchase agreement dated June 1, 2001 with Wachovia Bank (formerly First Union National Bank of Maryland) for the purpose of borrowing \$54,660,000 to purchase radio and mobile data equipment for use in the County’s public safety programs and buses for use in the County’s Ride-On Bus System. The County’s obligation to make purchase installments under the agreement in any fiscal year is contingent upon the County Council making an appropriation for such purpose in such year. In the event that the Council does not appropriate moneys to make such purchase installments in any fiscal year, the County is required to return the equipment to the seller without any additional financial liability. The obligation of the County under the agreement does not constitute a pledge of the full faith and credit or of the taxing powers of the County.

## ***State Assumption - Certain Mass Transit Capital Costs***

The regional Metro Rapid Rail System, operated by the Washington Metropolitan Area Transit Authority (WMATA) and recently completed, is a 106-mile system of subway, surface and elevated tracks embracing Washington, D.C. and the Maryland and Virginia suburbs. The system includes 18.4 miles and 12 stations within Montgomery County, all of which are now in service.

As a result of a succession of State legislative actions between 1972 and 1998, all County obligations for allocable costs of WMATA’s capital construction, debt service, and capital equipment replacement programs are now met by the State of Maryland, relieving the County of all such obligations.

*(The remainder of this page has been left blank intentionally.)*

## **FINANCIAL INFORMATION**

### ***Accounting System***

The accounts of the County are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance/net assets, revenues, and expenditures/expenses, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

Montgomery County has received the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR) more times than any other county in the nation – thirty-four times – as early as 1951 and consecutively for thirty-two years, since 1972. The Certificate of Achievement is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government financial reports. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. The report must satisfy both generally accepted accounting principles and applicable legal requirements. A Certificate of Achievement is valid for a period of one year only. The County believes the FY04 CAFR continues to meet the Certificate of Achievement Programs requirements and has submitted it to the GFOA to determine its eligibility for another certificate.

### ***Reporting Entity***

The County reporting entity is determined by criteria set forth in promulgations of the Governmental Accounting Standards Board. The reporting entity includes the fiscal activities of Montgomery County Government, as the primary government, and Montgomery County Public Schools (MCPS), Montgomery Community College (“the College”), Montgomery County Revenue Authority, the Housing Opportunities Commission of Montgomery County, and the Bethesda Urban Partnership, Inc., as component units. Not included within the reporting entity are the Montgomery County portion of Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission, Washington Suburban Transit Commission, Washington Metropolitan Area Transit Authority, Metropolitan Washington Council of Governments, and the Northeast Maryland Waste Disposal Authority. These entities are considered joint ventures and disclosure of the County’s participation in these joint ventures is presented as a footnote to the County’s financial statements included in its Basic Financial Statements (refer to Appendix B for statements as of June 30, 2004).

### ***Basis of Accounting***

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund and certain fiduciary fund (pension and other employee benefit trusts, investment trust, and private-purpose trusts) financial statements. The agency funds also use the accrual basis of accounting to recognize assets and liabilities. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenue in the year in which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met. Capital assets and related depreciation are also recorded in these statements.

Governmental fund (i.e., General, Debt Service, Capital Projects, Special Revenue, and Permanent) financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recorded as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment has matured and is due. Similarly, expenditures related to claims and judgments, and compensated absences, are recorded only to the extent that they are expected to be liquidated with expendable available financial resources. Also, capital assets and related depreciation and long-term liabilities are not recorded in these statements.

## **ANNUAL BUDGETS**

### ***Operating Budget and Tax Rates***

On May 20, 2004 the County Council approved the FY05 operating budget comprising the County Government, MCPS, the College, and M-NCPPC aggregating \$2.843 billion. This budgetary level represents an increase of 8.1 percent over the adopted budget for FY04.

The FY05 operating budget provides the greatest share (52.2 percent) of total resources to Montgomery County Public Schools, including funding necessary for an estimated 1,289 new students in grades K-12. Funds for Montgomery College are included for an increase greater than enrollment growth. In addition, public safety and criminal justice, health and human services, public works, and transit are funded for important improvements in FY05, as well as compensation improvements.

The approved FY05 budget provided for an undesignated surplus of \$65.3 million in the General Fund and \$80.8 million across all tax supported funds. For FY05, the estimated effective property tax rate for the County declined to \$1.059 per \$100 of assessed valuation from the actual effective property tax rate of \$1.073 per \$100 of assessed valuation in FY04.

### ***Capital Budget/Capital Improvements Program***

The County Council approved the FY05 Capital Budget and the FY05-10 Capital Improvements Program for the County government and the required agencies, except for WSSC, aggregating \$2.332 billion for FY05-10. This approved program provided for County bond funding aggregating \$1.332 billion over the six-year period FY05-10. The Council approved a Capital Improvements Program for WSSC totaling \$510.3 million for FY05-10.

### ***Legal Framework for Budgeting***

As required by the County Charter, the County Executive submits to the County Council, not later than January 15, a comprehensive six-year Capital Improvements Program (CIP) in each even numbered year, and a Capital Budget each year. In addition, the County Executive, not later than March 15 of each year, submits an annual Operating Budget, a six-year Public Services Program (PSP), and Fiscal Policy.

The Capital Improvements Program includes a statement of the objectives of capital programs and the relationships of capital programs to the County's long-range development plans; recommends capital projects and a construction schedule; and provides an estimate of costs, a statement of anticipated revenue sources, and an estimate of the impact of the program on County revenues and the operating budget. The Capital Improvements Program, to the extent authorized by law, includes all capital projects and programs of all agencies for which the County sets tax rates or approves budgets or programs.

The fiscal program shows projections of revenues and expenditures for all functions, recommends revenue and expenditure policies for the program, and analyzes the impact of tax and expenditure patterns on public programs and the economy of the County.

As part of the six-year CIP and PSP programs, the County Executive includes the proposed capital and operating budgets containing recommended levels of expenditures and sources of revenue for the ensuing fiscal year. In addition, a summary is submitted containing an analysis of the fiscal implications for the County of all available budgets of all agencies for which the County Council sets tax rates, makes levies, and approves programs or budgets. These other agencies include the Montgomery County Public Schools, Montgomery College, the Maryland-National Capital Park and Planning Commission, the Housing Opportunities Commission of Montgomery County, the Montgomery County Revenue Authority, the Washington Suburban Sanitary Commission (a bi-county agency), the Washington Suburban Transit Commission (a bi-county agency), and the 19 independent Fire and Rescue Corporations.

The County Council must hold public hearings on the proposed budgets and six-year programs commencing not earlier than 21 days following their receipt. The County Council may add to, delete from, increase or decrease any appropriation item in the operating or capital budget. The Council also approves the budget, as amended, and appropriates the funds not later than June 1 of the year in which it is submitted. By June 30th of each year the County Council makes the tax levies deemed necessary to finance the budgets for the ensuing fiscal year beginning July 1. Pursuant to a Charter amendment adopted in the November 1990 general election, the County Council may not levy an ad valorem tax on real property to finance the budgets that will produce total revenue that exceeds the total revenue produced by the tax on real property in the preceding fiscal year plus a percentage of the previous year's real property tax revenues that equals any increase in the Consumer Price Index unless approved by the affirmative vote of seven Council members. This limit does not apply to revenue from 1) newly constructed property, 2) newly rezoned property, 3) property that, because of a change in State law, is assessed differently than it was assessed in the previous tax year, 4) property that has undergone a change in use, and 5) any development district tax used to fund capital improvement projects.

The Charter requires that County capital improvement projects which are estimated to cost in excess of an amount established by law, or which the County Council determines to possess unusual characteristics or to be of sufficient public importance, must be individually authorized by local law, which would be subject to referendum upon timely petition of five percent of the County's registered voters. The cost criterion for projects in the FY05 Capital Budget and the amended FY05-10 CIP is \$11,150,000. The Charter also requires approval of the aggregate operating budget by the affirmative vote of six Council members, as opposed to a simple majority, when it exceeds the budget for the preceding year by a percentage which is greater than the percentage increase in the Consumer Price Index for all urban consumers for the Washington-Baltimore combined metropolitan statistical area (CMSA) for the 12 months preceding December 1 of each year, as published by the U.S. Department of Labor. In addition, a Charter amendment adopted at the November 1990 general election requires the County Council to annually adopt spending affordability guidelines for the capital and operating budgets, including guidelines for the aggregate capital and operating budgets. Any aggregate capital budget or aggregate operating budget that exceeds the guidelines then in effect requires the affirmative vote of seven of the nine council members for approval.

### ***Major Sources of Revenue***

The local property tax remains the largest revenue source when measured by all Funds, and is the second largest source of revenue when measured by General Fund revenues. For FY04, the General County property tax levies were based on full cash value for all assessable property in the County at the rate of \$1.878 per \$100 of assessed personal property, and \$0.751 per \$100 of assessed real property valuation. The levies generated \$737.0 million, or approximately 37.9 percent, of the total County General Fund operating requirements – down from a 41.5 percent share seven years ago.

For FY04, the largest revenue source in the General Fund was the local income tax. This tax, which is levied by the County Council and administered by the State, generated \$869.7 million in FY04, or 44.8 percent of the total County General Fund operating revenue requirements – up from a 41.2 percent share seven years ago, but down from the 46.3 percent share in FY03. The decrease in share from last year was due to weak growth in payroll employment and a dramatic increase in transfer and recordation taxes.

### ***Status of the General Fund***

Montgomery County concluded the fiscal year ending June 30, 2004, with an unreserved undesignated balance for the General Fund of \$26.7 million. The County's governmental funds reported combined ending fund balances of \$445.6 million, an increase of \$65.3 million over the prior year's ending fund balances. The Revenue Stabilization Fund (RSF), including related investment income, remained at \$87.2 million at the close of FY03. Following the mandatory contribution requirement, half of actual General Fund receipts from the (i) income tax, (ii) transfer tax, (iii) recordation tax, and (iv) investment income above the budget estimate must be transferred to the RSF. With the exception of the receipts from investment income, receipts from the income tax and recordation and transfer taxes were higher than expected. Since actual revenues exceeded estimated revenues in FY04, there was a mandatory

contribution made to the RSF of \$8.8 million. Therefore, the amount in the fund increased to \$95.9 million at the end of FY04.

## **General Fund Revenues**

Actual revenues for the General Fund totaled \$2,099.8 million and were 4.9 percent above the budget estimate for the fiscal year and 13.4 percent above actual revenues for FY03. The three largest contributors to the positive variance between the budget estimate and actual revenues were the recordation tax (\$48.3 million), followed by the income tax (\$32 million), and the transfer tax (\$29.7 million). The war on terror and the various terrorism alerts in the Washington metropolitan region had an effect on the region's and County's hospitality industry during FY04. While actual revenue from the County's hotel-motel room tax was 6.7 percent above actual revenue during FY03, it was 6 percent lower than the budget estimate. During FY04, the County Council adopted rate increases to the fuel and energy taxes and the telephone taxes. Fuel and energy tax rates were increased threefold, and the Council imposed a \$2.00 per month tax rate on cellular telephones while doubling the rate on landlines. While low interest rates, particularly low mortgage rates, increased the transfer and recordation tax receipts, they had a negative effect on revenues from the County's investments. Investment income was \$8 million below the budget estimate. Other non-tax sources of revenue came in below budget estimates. Such sources included licenses and permits (-0.3 percent); charges for services (-12.9 percent), which was attributed to a drop in public safety user fees; fines and forfeitures (-61 percent), which was attributed to a significant decline in anticipated fines from photo red light operations; and miscellaneous sources (-3.1 percent). Intergovernmental revenues were 4.4 percent above the budget estimate. This increase was attributed to the federal reimbursements, primarily for Federal Financial Participation, which came in 25.4 percent above the budget estimate, while state aid and reimbursements were a very modest 0.1 percent below the budget estimate.

The largest revenue source for the General Fund is the County income tax. Revenues from the income tax were \$869.7 million and represented 44.8 percent of total tax revenues for the General Fund and 41.4 percent of total revenues in FY04. The income tax became the majority source of tax revenues in the General Fund when it surpassed the property tax in size in FY99. The dramatic shift in the reliance on the income tax as a major source of revenue can be attributed to two factors: the expanding employment base in the County during the 1999-2001 period and growth in capital gains during that same period. Even with a sluggish stock market and minimal growth in the County's payroll employment, revenues increased 10.4 percent in FY04 compared to a 9.1 percent decline in FY03. There are a number of factors that contributed to the increase in income tax revenues. The County Council increased the local income tax rate from 2.95% to 3.20%. The Maryland State Comptroller (Comptroller) implemented three administrative changes to the distribution of revenue collections to the County. The first such change was the procedure expediting the submittal of withholding by employers. Prior to the change, the Comptroller received employers' withholdings on the fifteenth day of the subsequent month. The new procedure requires employers to submit withholdings within three business days. As a result, the Comptroller accelerated the August distribution to the month of July, and therefore, due to the County's 30 day revenue availability period for the General Fund, the distribution was included in FY04 instead of the subsequent fiscal year. The second administrative change proposed by the state accelerated 50 percent of three years of unclaimed withholdings (tax years 2001, 2002, and 2003). The third and final administrative change modified the unallocated percentage with a three-percentage point reduction, resulting in an increase in quarterly distributions of withholdings and estimated payments. Total quarterly distributions for withholding and estimated payments increased 10.2 percent (FY04) compared to -0.1 percent (FY03), +1.1 percent (FY02), +6.1 percent (FY01), +8.0 percent (FY00), +10.6 percent (FY99), and +10.3 percent (FY98).

Despite the increase in the tax rate and the administrative changes to the distribution formulae by the Comptroller, underlying economic factors such as capital gains and employment were a drag on income tax receipts. While total payroll wages increased in nominal terms during calendar year (CY) 2003, the latest date from which data are available, wages did not increase in real dollars, i.e., adjusted for inflation. During CY03, the total number of payroll jobs was 449,909. When compared to CY02, the number of payroll jobs increased slightly, by less than 1,800 jobs, or 0.4 percent. The minimal growth is attributed to a slight decline in the number of jobs in the local government sector and in goods-producing industries. However, the lack of growth in those sectors was offset by a gain in service-providing sectors, particularly in the professional and business and financial services sectors.



Property tax collections in the General Fund amounted to \$737 million in FY04, which were \$7.3 million higher than the budget estimate and 6 percent above actual revenues in FY03. Property taxes, excluding penalty and interest, were \$734.7 million in FY04 – an increase of 6.3 percent over last year. However, collections from penalty and interest were \$2.3 million, a decrease of 44.3 percent compared to FY03 actual revenues, and below the recent four-year annual average of approximately \$3.7 million.

The increase in property tax collections was the result of an 8.3 percent increase in the assessable base for real property from FY03 to FY04. This was the largest increase in over eight years. New construction, which added \$1.7 billion to the base in FY04, was 1.1 percent greater than FY03. The dramatic increase in the reassessment rate from 6.4 percent to 36.3 percent for cycle three reassessments (based on triennial reassessment cycles by geographic area performed by the State Department of Assessments and Taxation) of the County's real property, which followed increases in the rate from 1.1 percent to 13.5 percent for cycle one reassessments in FY02 and from 2.7 percent to 21.8 percent for cycle two reassessments, were the primary reasons for the increase in property tax collections. Because of the dramatic increases in the reassessment rates, such increases added \$5.2 billion to the real property tax base. As a result, the 6.1 percent increase in tax-supported property tax revenues in FY04 was one of the highest increases during the past eight fiscal years.

After the decline in FY98, assessments of personal property increased 2.8 percent in FY99, 3.2 percent in FY00, 5.1 percent in FY01, 3.0 percent in FY02, and 0.6 percent in FY03, but declined 6.2 percent in FY04 primarily due to a decline in corporate personal property, reflecting the moderate economic growth in the County. Assessments of real property continued their growth with an increase of 6.2 percent in FY03 and 8.3 percent in FY04. As a result of continued growth in real property, the total assessable base grew 5.9 percent in FY03 and 7.6 percent in FY04.

The third major revenue source in the County is the combination of real property transfer and recordation taxes. The combined tax receipts from these sources were \$219.1 million, which was 55.2 percent above the budget estimate and 29.2 percent above FY03. Collections from transfer and recordation taxes continue to reach record highs. The amount collected from these taxes increased from \$83.0 million in FY98 to \$219 million in FY04, nearly a threefold increase.

Following a two-year decline in tax collections from transfer and recordation taxes ending in FY96 that reflected a weak real estate market in the County, receipts began their historical rise in FY97, increasing 6.7 percent, jumping 40.1 percent in FY98 and 12.1 percent in FY99, moderating in FY00 and FY01, then accelerating another 29 percent per year from FY02 through FY04. Collections from recordation taxes exhibited the larger increase in FY04, 32.8 percent, compared to transfer taxes, which increased 25.7 percent. That increase was attributed to a 40 percent jump in revenues collected solely from mortgage refinancing. In FY03, mortgage refinancing contributed \$28.8 million, or 34.9 percent, of total recordation tax revenues. In FY04, mortgage refinancing contributed \$40.4 million, or 37.4 percent, of total recordation tax revenues.

Revenues from the transfer tax were exceptionally strong in FY04 with unprecedented total collections of \$108.3 million. Revenues from the residential sector were \$94.9 million, an increase 26.2 percent over FY03, and revenues from the non-residential sector were \$13.4 million, an increase of 29.1 percent. The continued surge of real estate activity in FY04, attributed to historic low mortgage interest rates and accelerating home prices, was a primary factor contributing to the underestimates of projected transfer and recordation tax revenues for FY04.

The remaining tax sources, consisting of hotel/motel, fuel/energy, telephone, and admissions and amusement taxes, totaled \$116.9 million and were approximately \$1.2 million, or -1.0 percent, below the budget estimate. The modest economic expansion coupled with ongoing efforts against international terrorism had an effect on revenues from the hotel/motel industry (6 percent below budget estimate) during FY04. The economy, particularly the modest increase in real personal income of less than one percent, also affected revenues from the admissions tax (17.9 percent under budget), attributed to a reduction in attendance at movie theaters and facilities providing video arcades and games, and the telephone tax (12.7 percent below budget), attributed to a significant reduction in landlines. Fuel and energy taxes were 5.8 percent above the budget estimate.

In the General Fund, investment income declined 87.4 percent from \$3.3 million in FY03 to \$0.4 million in FY04. Investment income was 95 percent below the budget estimate. The dramatic decline in investment income follows declines in FY01, FY02, and FY03 and was the result of the continuation of an accommodative policy of the Federal Open Market Committee (FOMC) of the Federal Reserve that began in January 2001.

#### **General Fund Appropriations and Transfers**

Expenditure savings in FY04 amounted to \$2.1 million. Savings occurred predominantly in departmental expenditures (\$1.8 million) compared to non-departmental expenditures (\$0.3 million). Even though all departmental and most non-departmental units recognized some savings this year, the majority of the savings occurred in lower than projected operating costs for the Department of Corrections and Rehabilitation (\$0.7 million), the Department of Environmental Protection (\$0.3 million), and the Department of Finance (\$0.2 million).

County law requires that half of General Fund receipts from the income tax, transfer and recordation taxes, and investment income above the budget estimate must be transferred to the Revenue Stabilization Fund. Because of greater than expected receipts from the income tax and transfer and recordation taxes, there was a mandatory contribution to the Revenue Stabilization Fund in FY04 of \$8.8 million.

*(The remainder of this page has been left blank intentionally.)*

**Table 17**  
**Montgomery County, Maryland**  
**Schedule of General Fund Revenues, Expenditures, & Transfers In (Out)**  
**(Budgetary, Non-GAAP Basis)**

	Fiscal Year Actual(1)				Fiscal Year Budget 2005
	2001	2002	2003	2004	
Revenues:					
Taxes:					
Property, including interest & penalty	\$ 623,819,661	\$ 644,523,032	\$ 695,354,478	\$ 736,961,478	\$ 790,645,120
Transfer tax and recordation tax	102,381,412	132,085,074	169,583,507	219,080,729	154,070,000
County income tax	812,352,208	866,996,269	787,997,740	869,667,887	892,970,000
Other taxes	<u>46,768,742</u>	<u>43,704,476</u>	<u>47,630,238</u>	<u>116,892,853</u>	<u>164,804,760</u>
Total Taxes	1,585,322,023	1,687,308,851	1,700,565,963	1,942,602,947	2,002,489,880
Licenses and permits	4,631,314	4,857,707	8,728,837	9,201,123	9,239,090
Intergovernmental revenue	102,932,299	115,791,737	111,611,635	117,131,716	127,156,740
Charges for services	8,961,699	7,262,727	10,389,923	14,141,153	15,382,920
Fines and forfeitures	6,195,417	7,143,920	7,383,288	7,404,248	14,335,520
Investment income	16,998,296	8,270,355	3,310,147	416,588	3,582,820
Miscellaneous	<u>9,596,381</u>	<u>10,598,490</u>	<u>8,929,585</u>	<u>8,945,982</u>	<u>8,595,610</u>
Total Revenues	<u>1,734,637,429</u>	<u>1,841,233,787</u>	<u>1,850,919,378</u>	<u>2,099,843,757</u>	<u>2,180,782,580</u>
Expenditures (including encumbrances):					
General County:					
General government <sup>(2)</sup>	156,635,507	161,204,882	166,156,273	168,549,554	183,479,470
Public safety	172,137,027	188,059,119	212,829,090	225,634,585	245,794,564
Transportation and public works	36,326,517	32,518,389	41,130,164	45,659,148	38,789,559
Health and human services	145,121,009	149,134,783	157,251,684	163,006,801	178,967,585
Culture and recreation	37,985,645	44,090,316	43,455,404	41,611,491	42,520,943
Housing and community development	4,256,355	3,632,055	6,305,950	6,363,507	7,000,470
Environment	<u>4,502,897</u>	<u>4,349,786</u>	<u>3,557,247</u>	<u>3,235,236</u>	<u>3,608,395</u>
Total Expenditures	<u>556,964,957</u>	<u>582,989,330</u>	<u>630,685,812</u>	<u>654,060,322</u>	<u>700,160,986</u>
Transfers In (Out):					
Transfers In:					
Special Revenue Funds	10,283,760	12,850,550	12,555,270	13,203,740	12,538,500
Enterprise Funds	19,679,903	33,378,200	29,877,080	26,442,710	27,102,810
Internal Service Funds	--	500,000	--	--	--
Component Units	<u>644,650</u>	<u>612,754</u>	<u>626,360</u>	<u>328,420</u>	<u>328,420</u>
Total Transfers In	<u>30,608,313</u>	<u>47,341,504</u>	<u>43,058,710</u>	<u>39,974,870</u>	<u>39,969,730</u>
Transfers Out:					
Special Revenue Funds	(25,516,861)	(28,275,375)	(22,374,913)	(31,243,064)	(14,546,486)
Debt Service Fund	(143,528,192)	(157,010,129)	(168,474,195)	(177,932,595)	(189,066,240)
Capital Projects Fund	(52,079,521)	(61,368,324)	(15,012,594)	(29,506,722)	(45,793,611)
Enterprise Funds	(4,326,035)	(3,143,120)	(2,368,780)	(2,721,418)	(2,500,490)
Internal Service Funds	(1,581,897)	(471,622)	(79,734)	(116,423)	(584,970)
Component Units <sup>(2)</sup>	<u>(1,036,644,903)</u>	<u>(1,117,630,064)</u>	<u>(1,163,343,950)</u>	<u>(1,222,246,998)</u>	<u>(1,333,392,759)</u>
Total Transfers Out	<u>(1,263,677,409)</u>	<u>(1,367,898,634)</u>	<u>(1,371,654,166)</u>	<u>(1,463,767,220)</u>	<u>(1,585,884,556)</u>
Net Transfers In (Out)	<u>(1,233,069,096)</u>	<u>(1,320,557,130)</u>	<u>(1,328,595,456)</u>	<u>(1,423,792,350)</u>	<u>(1,545,914,826)</u>
Excess of revenues and operating transfers in over (under) expenditures, encumbrances and operating transfers out	<u>(55,396,624)</u>	<u>(62,312,673)</u>	<u>(108,361,890)</u>	<u>21,991,085</u>	<u>(65,293,232)</u>
Fund Balances, July 1 as previously stated	255,964,974	230,423,758	195,161,927	109,601,952	146,804,572
Adjustment for previous year encumbrances <sup>(3)</sup>	<u>29,855,408</u>	<u>27,050,842</u>	<u>22,801,915</u>	<u>15,211,535</u>	<u>13,834,682</u>
Fund Balances, July 1 restated	285,820,382	257,474,600	217,963,842	124,813,487	160,639,254
Equity transfers in (out)	--	--	--	--	--
Budgetary Fund Balance, June 30 <sup>(2)</sup>	<u>\$ 230,423,758</u>	<u>\$ 195,161,927</u>	<u>\$ 109,601,952</u>	<u>\$ 146,804,572</u>	<u>\$ 95,346,022</u>

(1) Audited amounts.

(2) FY01 fund balance restated for Component Unit Capital transfers and Silver Spring land adjustment.

(3) Prior year encumbrances are net of write-offs.

Note: Actual and budget amounts are for fiscal years ended June 30.

**Table 18**  
**General Fund**  
**Schedule of Budgetary Fund Balance to**  
**GAAP Fund Balance Reconciliation**

	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Budgetary to GAAP Reconciliation:				
Budgetary Fund Balance as noted above <sup>(1)</sup>	\$230,423,758	\$195,161,927	\$109,601,952	\$146,804,572
Plus encumbrances outstanding	29,312,780	25,357,214	16,783,091	13,840,682
Adjustment for prior year encumbrances	(3,173,902)	(2,261,938)	(2,555,941)	(1,571,556)
Unrealized investment gain (loss)	142,060	(1,973,055)	1,752,108	(1,961,744)
Net differences between beginning fund balances	<u>3,123,811</u>	<u>2,973,976</u>	<u>842,960</u>	<u>1,824,242</u>
GAAP Fund Balance as Reported <sup>(1)</sup>	<u>\$259,828,507</u>	<u>\$219,258,124</u>	<u>\$126,424,170</u>	<u>\$158,936,196</u>
Elements of GAAP Fund Balance:				
Reservations	\$ 32,711,557	\$ 29,201,708	\$ 22,540,476	\$ 19,830,438
Designated for CIP Transfers	54,234,669	55,822,587	51,936,828	82,361,052
Designated for subsequent years expenditures <sup>(1)</sup>	116,684,146	61,325,631	17,300,037	30,017,660
Unreserved / Undesignated <sup>(1)</sup>	<u>56,198,135</u>	<u>72,908,198</u>	<u>34,646,829</u>	<u>26,727,046</u>
	<u>\$259,828,507</u>	<u>\$219,258,124</u>	<u>\$126,424,170</u>	<u>\$158,936,196</u>

<sup>(1)</sup> FY01 fund balance restated for Component Unit Capital transfers and Silver Spring land adjustment.  
Note: All amounts are audited, and are for fiscal years ended June 30.

## **REVENUE STABILIZATION FUND**

The State of Maryland in 1992, enacted legislation authorizing political subdivisions in Maryland to establish “rainy day” or reserve funds to accommodate future funding shortfalls. Pursuant to this State law, the County established a Revenue Stabilization Fund effective July 1, 1994.

The Revenue Stabilization Fund (the “Fund”) supplements the reserve or operating margin the County annually sets aside. The County’s Charter, Section 310, sets a five percent annual limit on General Fund surplus. The State law authorizing counties to set up rainy day funds expressly prevails over any contrary County charter provision. Revenues in the Fund are allowed to go as high as 10 percent of the aggregate revenue from certain sources in the preceding three fiscal years. The Revenue Stabilization Fund provides a mechanism to level out the revenue stream and adjusts for year-to-year fluctuations beyond a certain baseline level. County law requires that 50 percent of the growth above the average of the six preceding fiscal years in certain taxes (income, property transfer, recordation, but not the property tax) and General Fund investment income, be set aside in a restricted fund. Also, 50 percent of the annual revenue from these sources in excess of the Council’s original projection in the budget resolution go to the Fund.

The Council, acting on the Executive’s recommendation, may release up to half the balance in the Fund only if certain recessionary economic conditions occur. Two of the following three conditions must be met: 1) the Director of Finance estimates that total General Fund revenues will fall more than 2 percent below the original projected revenues; 2) resident employment in the County has declined for six consecutive months compared to the same period in the previous year; and 3) a local index of leading economic indicators has declined for three consecutive months. Amounts released from the Fund can only be used for appropriations that have become unfunded.

As the result of higher than estimated income, transfer, and recordation tax revenues, a mandatory transfer of \$8.8 million was made to the Fund at the end of FY04. There was no mandatory contribution in FY03. Prior to FY03, mandatory transfers were made in FY97 (\$18.7 million), FY98 (\$21.4 million), FY99 (\$5.5 million), FY00 (\$8.4 million), FY01 (\$8.9 million), and FY02 (\$7.7 million) as well as the discretionary transfers made in FY95 (\$10 million) and FY96 (\$4.5 million). With earned interest, the Revenue Stabilization Fund reached its maximum allowable size of \$95.9 million at the close of FY04. Since the Fund reached more than half of its maximum size,

according to the County law that established the Fund, interest earned from the fund must be transferred to PAYGO. The interest transfer in FY04 was \$1.1 million; similar transfers were made in FY98 through FY03.

## **CASH AND INVESTMENT MANAGEMENT**

Montgomery County maintains an active and sophisticated cash and investment management program. The primary objectives of the program are the preservation of capital, providing liquidity to meet County financial obligations, and maximization of the investment yield on the County's short-term working capital.

Working capital is managed pursuant to the Annotated Code of Maryland, the County Code, and the County's short-term investment policy, as approved by the County Council. The County is authorized to invest in obligations for which the United States has pledged its full faith and credit for the payment of principal and interest, in obligations that a federal agency issues in accordance with an act of Congress, or in repurchase agreements that any of the foregoing listed obligations secure. Cited statutes also authorize investments in bankers acceptances, secured certificates of deposit issued by Maryland banks, commercial paper of the highest investment grade, and in money market funds whose portfolio is operated consistent with Securities and Exchange Commission Rule 2a-7. The County requires that these money market funds invest only in obligations of a Federal agency or instrumentality issued in accordance with an act of Congress, and repurchase agreements collateralized by an obligation of the United States, its agencies, or instrumentalities. The average maturity of the working capital portfolio is generally less than six months.

At June 30, 2004, the investment balance of the County's portion of the consolidated portfolios was \$518.2 million. During FY04 the County earned investment income of \$6.4 million, with an average yield of 1.13%.

## **RISK MANAGEMENT**

On July 1, 1978, County Code Section 20-37 was enacted to establish the Montgomery County Self-Insurance Program. The County self-insures such exposures as workers' compensation, commercial general liability, automobile liability, professional/public official liability, certain property, and other selected risks which require treatment.

An Inter-Agency Insurance Panel comprised of the County and member agencies, and chaired by the County's Finance Director, provides overall direction, formulates insurance policy, reviews claims, and evaluates the effectiveness of the loss control program. Claims against the agencies are handled under a contract with a third party claims administrator. Legal services are provided by the Office of the County Attorney.

The County Finance Department, Division of Risk Management operates the Self-Insurance Program for the County and other participating agencies: Montgomery County Public Schools, Montgomery College, M-NCPPC, various independent fire Corporations, City of Rockville, Montgomery County Revenue Authority, Housing Opportunities Commission of Montgomery County, Rockville Housing Enterprises, Town of Somerset, Village of Martin's Additions, Village of Drummond, Village of Friendship Heights, and the Bethesda Urban Partnership. The City of Takoma Park and the City of Gaithersburg also participate, for workers' compensation coverage only.

In addition to the self-insured coverage, Risk Management coordinates the purchase of commercial insurance for such coverage as All Risk Property Insurance, Boiler and Machinery, Public Official and Employee Bonds, Electronic Data Processing, Fiduciary Liability, and others. From time to time, commercial excess liability insurance was purchased. However, beginning October 16, 2002, as a result of the volatile insurance market, it was determined that this coverage could not be purchased at affordable rates.

A summary of FY04 operations of the program is outlined below:

	<u>(\$000's)</u>
Revenues:	
Contributions from participating agencies	\$33,080
Interest on investments	803
Recovered losses	1,258
Other income	<u>88</u>
Total Revenues	<u>35,229</u>
Expenses:	
Claims expense	27,853
Claims administration, loss control, external insurance, and other administrative expenses	<u>8,947</u>
Total Expenses	<u>36,800</u>
Net income (loss)	(1,571)
Retained earnings, July 1, 2003	<u>(10,273)</u>
Equity balance, June 30, 2004	<u>(\$11,844)</u>

By State law effective July 1, 1987, local government employees are protected by the Local Government Tort Claims Act. Under this legislation, the liability of the employees of local governments for common law torts, such as negligence, is limited to \$200,000 for an individual claim, and \$500,000 for all claims arising from one occurrence. This act, combined with the law limiting the public school system's liability to \$100,000, significantly decreases the exposure of the program to large losses.

The County is also self-insured for unemployment benefits and maintains a minimum premium funding arrangement for employee health insurance. The FY04 operations for these two elements of the insurance program are not reflected above.

### **EMPLOYEES' RETIREMENT SYSTEMS**

The Employees' Retirement Systems (Systems) consist of two pension programs sponsored by the County: a single-employer defined benefit plan and a defined contribution plan (initiated in FY95). Other agencies or political subdivisions have the right to elect participation. Substantially all employees of the Montgomery County Government, the Montgomery County Revenue Authority, the Housing Opportunities Commission of Montgomery County, the independent fire/rescue corporations, the Town of Chevy Chase, the Strathmore Hall Foundation, Inc., the Washington Suburban Transit Commission, certain employees of the State Department of Assessments and Taxation, and the District Court of Maryland are provided retirement benefits under the Systems. The Systems, established under Chapter 33 of the County Code, are contributory plans with employees contributing a percentage of their base annual salary depending on their group classification, which determines retirement eligibility. The payroll for employees covered by the Systems for the year ended June 30, 2004 was approximately \$446.2 million. The total payroll for Montgomery County Government in FY04 was \$499.9 million.

All covered full-time employees of the County and participating agencies must become members of the Systems as a condition of employment. All covered career part-time employees of the County and participating agencies may become members on an individual basis. Non-public safety employees hired on or after October 1, 1994 enroll in the defined contribution plan. All other employees enroll in the defined benefit plan. At FY04 year-end, the defined benefit plan covered approximately 5,670 active participants and 4,926 retirees and inactive participants, with total liabilities amounting to approximately \$2.56 billion. At FY04 year-end, the defined contribution plan had 3,521 participants with liabilities totaling \$55.6 million.

Legislation enacted by the County Council in November 1999 required the Chief Administrative Officer to establish Deferred Retirement Option Plans, or DROP plans, that allow any employee who is a member of a specified membership group or bargaining unit, and who meets certain eligibility requirements, to elect to “retire”, but continue to work for a specified time period, during which pension payments are deferred. When the member's participation in the DROP Plan ends, the member must stop working for the County, draw a pension benefit based on the member's credited service and earnings as of the date that the member began to participate in the DROP Plan, and receive the value of the DROP Plan payoff. These DROP plans became effective during FY00.

The Board of Investment Trustees is responsible for managing the investment programs of the Montgomery County Employees' Retirement Systems. Investments in the defined benefit plan amounted to \$2.274 billion as of June 30, 2004. The defined benefit plan assets are invested in a diversified portfolio of equities, bonds, real estate and short-term instruments. The defined contribution plan assets are invested in a diversified group of mutual funds pursuant to participant direction.

Employees of the County may participate in the Montgomery County Deferred Compensation Plan, which was established pursuant to Section 457 of the Internal Revenue Code of 1986, as amended. Under the Plan, contributions are sent to contracted investment vendors for different types of investments as selected by participants. Legislation enacted in December 2004 allows the County to sponsor one or more additional deferred compensation plans for employees covered by a collective bargaining agreement.

For additional information concerning the County's retirement plan, see Appendix A, “Notes to Financial Statements” Note IV-F, Pension Plan Obligations.

## **PROPERTY TAX INFORMATION**

The County levies real and personal property taxes on all taxable property within its boundaries. Annual payments of taxes are due in full on July 1 and become delinquent on the following October 1. Semi-annual payments are the standard in Maryland for residential property owners only, with payments due September 30 and December 31. Property tax bills issued after September 30 may be paid within 30 days without interest or penalty. Tax sales to recover delinquent real property taxes are held on the second Monday in June in the fiscal year taxes are due and payable. Legal action may be taken to enforce payment of both real and personal property taxes.

### **Property Tax Assessments**

The assessment of all real and tangible personal property for purposes of property taxation by State and local governmental units is the responsibility of the State Department of Assessments and Taxation. Assessment records and tax rolls are maintained in each county seat and in Baltimore City. Real property is valued at market value (full cash value) and assessed in each year at a percentage of market value. Since July 1, 1991, real property was assessed at 40 percent of its full cash value. Legislation adopted by the State Legislature in 2000 changed the taxable assessment methodology from 40 percent to 100 percent of the assessed value of real property during FY01. Because property tax rates in effect for FY01 were determined at the beginning of the fiscal year – when the law required a 40 percent taxable assessment method – the rate reflected the “old” method. Effective FY02, all real property in Maryland is assessed at the full 100 percent, with a concomitant decrease in the appropriate tax rate. One-third of the real property base is physically inspected and reassessed each year. Any increase in full cash value arising from such reassessment is phased in over the ensuing three taxable years in equal annual installments, although a decline in assessed valuation becomes fully effective in the first year.

Because of growth in new construction and improved value of properties, the real property taxable base increased 28 percent in the last five years, measured through 2004. Due to a sluggish economy the past year, growth in the personal property base increased 5 percent in the last five years, bringing the overall increase in the aggregate property base to 27 percent during this period.

**Table 19**  
**Assessed Value of All Taxable Property**  
**By Class and Fiscal Year**

<u>Fiscal Year</u>	<u>Real Property</u>	<u>Personal Property</u>	<u>Total Assessed Value</u>	<u>Percent Change From Prior Year</u>	<u>Ratio of Assessment to Full Market Value</u>
2004	\$89,263,005,267	\$3,963,801,610	\$93,226,806,877	7.61%	91.35%
2003	82,407,337,831	4,227,854,400	86,635,192,231	5.94	88.71
2002	77,574,947,550	4,201,344,590	81,776,292,140	4.57	92.48
2001	74,122,532,195	4,077,848,090	78,200,380,285	3.49	94.10
2000	71,686,384,553	3,879,302,990	75,565,687,543	2.78	95.91

Note: During FY01 the taxable assessment method for real property changed from 40 percent to 100 percent of the assessed property value. Fiscal Year 2000 has been restated at 100% of assessed value on this schedule for comparison purposes.

Sources: Montgomery County Department of Finance, Comprehensive Annual Financial Reports.

Tax-exempt properties are excluded from the above figures. In FY04, such exemptions for real property owned by Federal, State, County, and other governmental units, religious institutions, schools, fraternal organizations, cemeteries, disabled veterans, and the blind totaled \$9.4 billion. Tax-exempt real property constitutes 10.4 percent of the total gross real property base, with 75.0 percent of the tax-exempt property in the combined Federal, State, Local government sectors. The State Department of Assessments and Taxation grants exemptions from property taxes, pursuant to State law.

The ratio of total assessed value to total full market value is based on studies conducted by the State Department of Assessments and Taxation. Based on recent data (June 2004) from 236,300 residential properties, the overall average County assessment per improved residential account of \$305,300 equates to an estimated market value of \$350,500.

**Table 20**  
**Tax Levies and Revenue**

<u>Fiscal Year</u>	<u>General County Tax Levy (including Education)</u>	<u>Revenue From Current Year Assessment</u>	<u>Ratio of Current Yr. Revenue to Tax Levy</u>	<u>Revenue From Prior Year Assessment</u>	<u>Total Revenue</u>	<u>Ratio of Total Revenue to Tax Levy</u>	<u>Accumulated Delinquent Taxes</u>	<u>Ratio of Accumulated Delinquent Taxes to Current Year Tax Levy</u>
2004	\$738,731,341	\$738,902,755	100.02%	\$(4,201,792)	\$734,700,963	99.45%	\$32,220,479	4.36%
2003	697,317,162	695,293,144	99.71	(3,999,325)	691,293,819	99.14	29,698,063	4.26
2002	650,352,383	646,920,262	99.47	2,843,239	649,763,501	99.91	21,377,781	3.29
2001	621,488,986	616,106,377	99.13	(83,736)	616,022,641	99.12	20,788,899	3.34
2000	606,243,611	600,716,466	99.09	6,119,221	606,835,687	100.10	20,077,125	3.31

*(The remainder of this page has been left blank intentionally.)*



**Table 21**  
**Tax Rates and Tax Levies, By Purpose**

Fiscal Year	General County (including Education)		Transit		State		Total	
	Rate	Levy	Rate	Levy	Rate	Levy	Rate	Levy
2004	\$0.751	\$738,731,341	\$0.044	\$43,265,229	\$0.132	\$117,987,242	\$0.927	\$899,983,812
2003	0.754	697,317,162	.038	35,124,792	.084	69,531,736	0.876	801,973,690
2002	0.741	650,352,383	.050	43,984,425	.084	65,703,036	0.875	760,039,844
2001	1.857	621,488,986	.100	33,566,329	.210	62,605,672	2.167	717,660,983
2000	1.863	606,243,611	.102	33,074,129	.210	61,359,955	2.175	700,677,695

Note: Rates are per \$100 of assessed value. For FY02-04, tax rates shown are for real property only, and tax levies are based upon a 100% of full cash value assessment. The personal property rate for General County was \$1.878 in FY04, \$1.885 in FY03, and \$1.852 in FY02; the personal property rate for Transit was \$.110 in FY04, \$.095 in FY03, and \$.125 in FY02 (the State does not tax personal property). For Fiscal Years 00-01, real property was assessed at 40% of full cash value, and for those fiscal years the real property and personal property rates were the same.

**Table 22**  
**Ten Highest Commercial Property Taxpayers' Assessable Base**

Taxpayer	Total	Real Property	Personal Property	Ratio: Taxpayer Base to Total Assessable Base
Potomac Electric Power Co.	\$ 766,285,986	\$ 5,860,436	\$ 760,425,550	0.82%
Verizon/Bell Atlantic	629,743,666	27,223,826	602,519,840	0.68
Westfield Shoppingtown Montgomery	224,504,932	224,144,332	360,600	0.24
Washington Gas Light Co.	206,249,370	--	206,249,370	0.22
Mirant Mid-Atlantic LLC	205,747,732	69,733,532	136,014,200	0.22
Bryant F. Foulger, Trustee	155,509,300	155,509,300	--	0.17
7501 Wisconsin Ave. LLC	155,000,000	155,000,000	--	0.17
Camalier, Anne D et al, Trustee	139,042,168	139,042,168	--	0.15
Democracy Associates	137,266,666	137,266,666	--	0.15
Marbeth Partnership	<u>129,021,000</u>	<u>129,021,000</u>	<u>--</u>	<u>0.14</u>
Total	<u>\$ 2,748,370,820</u>	<u>\$1,042,801,260</u>	<u>\$1,705,569,560</u>	<u>2.95%</u>
Assessable Base (June 30, 2004)	<u>\$93,226,806,877</u>			

Sources: State of Maryland, Department of Assessments and Taxation; and Montgomery County Department of Finance, Division of Treasury.

### ***Impact Tax***

Significant development is occurring throughout Montgomery County, placing great demands on the County to provide for transportation improvements, public schools and other public facilities. Effective March 1, 2004, and pursuant to Articles VII and XII of Chapter 52 of the Montgomery County Code ("Development Impact Tax for Transportation Improvements," and "Development Impact Tax for Public School Improvements," respectively), nearly all new residential development within Montgomery County is required to pay impact taxes. These impact taxes are a means of transferring a share of the costs of additional transportation improvements and additional classrooms in public schools to the new development that is primarily responsible for creating these needs. The tax is imposed prior to the issuance of a building permit.

The original impact tax law was enacted in 1990, was applied for transportation improvements only, and affected two outlying geographic areas of the County—Germantown, in the northern section of the County, and “Eastern Montgomery County.” The law was amended in 2001 to add another northern section of the County (Clarksburg), and again in 2002 to extend the impact tax for transportation improvements to the remainder of the County. Amendments in 2004 added the schools impact tax.

The following table illustrates impact tax collections over the last 10 years.

**Table 23**  
**Impact Tax Collections**

<u>Fiscal Year</u>	<u>Transportation Impact Tax</u>	<u>Schools Impact Tax</u>
2004 (1)	\$5,245,000	435,000
2003 (2)	1,790,000	--
2002 (3)	1,990,000	--
2001	3,100,000	--
2000	990,000	--
1999	1,400,000	--
1998	1,020,000	--
1997	1,280,000	--
1996	840,000	--
1995	1,200,000	--

(1) added Schools Impact tax

(2) added County area

(3) added Clarksburg area

*(The remainder of this page has been left blank intentionally.)*

## **DEMOGRAPHIC AND ECONOMIC INFORMATION**

### ***Population***

The population of the County, according to the 2000 Census, was 877,944, an increase of 15.6 percent since the 1990 Census. The Maryland-National Capital Park and Planning Commission (M-NCPPC) revised population estimate shows 1,004,000 for the County by July 1, 2010.

**Table 24**  
**Households and Population**

	<u>Households</u>	<u>Population</u>	<u>Population Percent Change from Prior Census</u>
2010 (M-NCPPC est.)	372,000	1,004,000	14.4%
2004 (M-NCPPC est.)	345,000	931,000	6.0
2003 (M-NCPPC est.)	340,000	918,000	4.6
2002 (M-NCPPC est.)	335,000	903,000	2.9
2001 (M-NCPPC est.)	330,000	886,000	0.9
2000 (U.S. Census)	326,000	877,944	15.6
1990 (U.S. Census)	283,400	759,600	31.2
1980 (U.S. Census)	207,195	579,053	10.8
1970 (U.S. Census)	156,674	522,809	53.3
1960 (U.S. Census)	92,433	340,928	107.4
1950 (U.S. Census)	45,264	164,401	--

Note: Data are for total population, with forecasts for households and population in 2010 derived from the Demographic Forecast Model from M-NCPPC (Round 6.4A Revised).

**Table 25**  
**Median Age**

	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>
Median Age	29.5	28.1	27.9	32.1	33.9	36.8

Sources: U.S. Bureau of the Census and M-NCPPC Montgomery County Department of Park and Planning, Research and Technology Center, revised May 2001.

### ***Employment***

The County's economic structure reveals a diversified economy with a strong service sector and an increasing reliance on the private sector. For example, the share of public-sector employment declined from 18.8 percent in 1990 to 17.5 percent in 2003. The service sector (services, finance, insurance, real estate and retail trade) employed 72.2 percent of the total workforce in 2003, the latest annual data. The following tables present the County's employment by industrial sector.

*(The remainder of this page has been left blank intentionally.)*

**Table 26**  
**Payroll Employment**

	<u>1990</u>	<u>2000</u>	<u>2003</u>	Difference 2003/1990	
				<u>Number</u>	<u>Percent</u>
TOTAL PRIVATE SECTOR	307,490	370,078	371,274	63,784	20.7%
PUBLIC SECTOR EMPLOYMENT:					
Federal	42,713	39,615	41,189	(1,524)	-3.6
State	1,634	1,100	1,118	(516)	-31.6
Local	<u>27,011</u>	<u>33,084</u>	<u>36,328</u>	<u>9,317</u>	34.5
TOTAL PUBLIC SECTOR	<u>71,358</u>	<u>73,799</u>	<u>78,635</u>	<u>7,277</u>	10.2%
GRAND TOTAL	<u>378,848</u>	<u>443,877</u>	<u>449,909</u>	<u>71,061</u>	<u>18.8%</u>

Notes: Payroll employment represents the total number of jobs covered by the Maryland unemployment insurance program.

The following groups are excluded from the payroll count: federal military, self-employed, railroad workers, and domestic employees.

The Bureau of Labor Statistics, U.S. Department of Labor converted the industrial classification schedule from the Standard Industrial Classification (SIC) system to the North American Industrial Classification System (NAICS) in 2001. As a result, there is no breakout of the private sector because such data are not comparable for 2000 and 2003.

Source: State of Maryland, Department of Labor, Licensing and Regulation.

**Table 27**  
**Payroll Employment Shares by Industry**

	<u>1990</u>	<u>2000</u>	<u>2003</u>
TOTAL PRIVATE SECTOR	81.2	83.4	82.5
PUBLIC SECTOR EMPLOYMENT:			
Federal	11.3	8.9	9.2
State	0.4	0.2	0.2
Local	<u>7.1</u>	<u>7.5</u>	<u>8.1</u>
TOTAL PUBLIC SECTOR	<u>18.8</u>	<u>16.6</u>	<u>17.5</u>
GRAND TOTAL	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>

Source: State of Maryland, Department of Labor, Licensing and Regulation.

Due to reclassification by the Bureau of Labor Statistics, U.S. Department of Commerce, of private-sector industrial categories from the U.S. Standard Industrial Classification (SIC) system to the North American Industrial Classification System (NAICS) beginning with the 2001 employment statistics, there is no longer a historical comparison available within the private sector employment categories for years prior to 2001. The table below provides a comparison of the payroll employment data for 2002 and 2003 based on the new classification system.

**Table 28**  
**Payroll Employment**  
**(NAICS Series)\***

	<u>2002**</u>	<u>2003</u>	<u>Difference</u>	<u>Percent Change</u>
TOTAL PRIVATE SECTOR	369,442	371,274	1,832	0.5%
GOODS-PRODUCING	46,453	45,700	(753)	-1.6%
Natural Resources and Mining	600	611	11	1.8%
Construction	28,617	28,856	239	0.8%
Manufacturing	17,236	16,233	(1,003)	-5.8%
SERVICE PROVIDING	322,102	325,041	2,939	0.9%
Trade, Transportation, and Utilities	66,306	65,032	(1,274)	-1.9%
Information	16,274	15,019	(1,255)	-7.7%
Financial Activities	33,524	35,444	1,920	5.7%
Professional and Business Services	94,228	95,937	1,709	1.8%
Education and Health Services	52,379	53,280	901	1.7%
Leisure and Hospitality	37,844	38,455	611	1.6%
Other Services	21,547	21,874	327	1.5%
UNCLASSIFIED	887	533	(354)	-39.9%
PUBLIC SECTOR EMPLOYMENT	78,711	78,635	(76)	-0.1%
Federal Government	41,181	41,189	8	0.0%
State Government	1,109	1,118	9	0.8%
Local Government	36,421	36,328	(93)	-0.3%
GRAND TOTAL	448,153	449,909	1,756	0.4%

\* North American Industrial Classification System.

\*\* 2002 data series have been revised by the Maryland Department of Labor, Licensing and Regulation (DLLR).

During 2003 and the first nine months of 2004, the County's unemployment rate averaged 2.6 percent and 2.3 percent, respectively. The following table presents the County's labor force, employment and unemployment for the years 1997 through the first nine months of 2004.

**Table 29**  
**Montgomery County's Resident Labor Force**  
**Employment & Unemployment\***

	<u>Labor Force</u>	<u>Employment</u>	<u>Unemployment</u>	<u>Unemployment Rate</u>
2004**	514,614	502,613	12,001	2.3%
2003	505,536	492,219	13,317	2.6
2002	502,918	489,018	13,900	2.8
2001	490,617	479,345	11,272	2.3
2000	481,963	473,026	8,937	1.9
1999	474,359	465,627	8,732	1.8
1998	465,649	454,806	10,843	2.3
1997	464,854	452,773	12,081	2.6

Source: State of Maryland, Department of Labor, Licensing and Regulation (DLLR) and the Bureau of Labor Statistics (BLS).

\* All data was revised by DLLR and BLS to incorporate intercensal population controls for the 1990s.

\*\* First nine months of 2004.

### ***Federal Government Employment***

The County is home to 23 Federal agencies in which over 63,000 civilians are employed, including a significant number of non-Federal employees working as consultants or researchers. The National Institutes of Health in Bethesda (part of the Department of Health and Human Services) is one of the nation's centers of medical research. The following is a partial list of Federal agencies in the County and their estimated employment in 2004.

Department of Health and Human Services	38,800
National Institutes of Health	
Food and Drug Administration	
Other	
Department of Defense	13,800
David Taylor Research Center	
Naval Medical Command	
Defense Mapping Agency	
Army Laboratory Center	
Walter Reed Army Medical Center/Institute of Research	
Other	
Department of Commerce	6,200
National Institute of Standards & Technology	
National Oceanic & Atmospheric Administration	
Nuclear Regulatory Commission	2,200
Department of Energy	2,100
Consumer Product Safety Commission	335

Source: M-NCPPC Montgomery County Department of Park and Planning, Research and Technology Center (2004 data).

*(The remainder of this page has been left blank intentionally.)*

### ***Private Sector Employment***

There are several thousand private sector employers in Montgomery County. Below is a listing of the County's largest employers.

<b><u>Name of Firm</u></b>	<b><u>Est. No. of Employees</u></b>
Adventist Healthcare*	6,000
Giant Food Corporation	4,900
Verizon	4,700
Chevy Chase Bank	4,700
Lockheed Martin	3,900
Marriott International, Inc. (Headquarters)	3,500
Hughes Network Systems	3,200
IBM	3,150
Sodexo Marriott Services	3,000
Holy Cross Health	2,800
Sears Roebuck & Co.	2,100
Discovery Communications, Inc.	1,900
BAE Systems (Marconi)	1,820
Montgomery General Hospital	1,750
Safeway Stores, Inc.	1,700
Westat	1,700
Government Employees Insurance Company (GEICO)	1,650
Aspen Systems	1,600
Bureau of National Affairs	1,600
Suburban Hospital	1,550
Kaiser Foundation Health Plan	1,430
National Association of Securities Dealers	1,330
Mid-Atlantic Medical Services, Inc.	1,200
GE Global Exchange Services	1,100
MedImmune	1,000
Miller & Long	1,000
Human Genome Sciences	1,000

\*Includes Shady Grove and Washington Adventist Hospitals

Note: The employee numbers listed are best estimates taken during the 4th quarter of 2004 from various sources, including first-hand research by the County's Department of Economic Development, the Montgomery County Department of Park and Planning Research and Technology Center, CoStar Tenant, and company Internet websites.

*(The remainder of this page has been left blank intentionally.)*

## PERSONAL INCOME

Actual personal income of County residents approached \$46.7 billion in 2002 and is estimated to total approximately \$51.5 billion in 2004. Income in calendar year 2002 experienced modest growth of 4.1 percent, but exceeded the performance of the national and state economies. By contrast, growth in 2003 is estimated to accelerate to 5.9 percent, which is slightly above the eight-year average of 5.7 percent, but moderate to 4.1 percent in 2004. Weak private-sector employment during 2003 and the first quarter of 2004, the latest date for which data are available, is the primary reason for the slowdown in personal income growth.

The County, which accounts for just over 16 percent of the State's population, accounts for almost 24 percent of the State's total personal income, a share that has grown during this decade.

**Table 30**  
**Total Personal Income**  
**(\$ millions)**

<u>Calendar Year</u>	<u>Montgomery County</u>	<u>Maryland</u>	<u>U.S.</u>	<u>Montgomery County as Percent of Maryland</u>
2004 (est.)	\$51,484	\$218,021	\$9,608,859	23.6%
2003 (est.)	49,480	206,166	9,148,680	24.0
2002	46,730	198,544	8,868,261	23.5
2001	44,888	191,257	8,718,165	23.5
2000	43,354	181,957	8,422,074	23.8
1999	38,717	167,075	7,796,137	23.2
1998	36,323	157,784	7,415,709	23.0
1997	33,089	147,843	6,907,332	22.4
1996	32,177	140,035	6,512,485	23.0
1995	30,718	133,814	6,144,741	23.0

Notes: Actual data from U.S. Department of Commerce, Bureau of Economic Analysis, revised July 2004 (U.S. and Maryland); and June 2004 (County).

Estimates for Montgomery County (2003-2004) by Montgomery County Department of Finance.

Estimates for Maryland and United States (2004) by State of Maryland, Bureau of Revenue Estimates.

*(The remainder of this page has been left blank intentionally.)*



### ***Average Household and Per Capita Personal Income***

The County's estimated per capita income ranks seventh nationwide, and second in the Washington metropolitan area, among counties with total population of at least 175,000. The County's estimated average household income ranks seventh nationwide but first in the region.

**Table 31**  
**Estimated Per Capita and Average Household Income, 2004**

<u>County</u>	<u>Per Capita Income</u>	<u>County</u>	<u>Average Household Income</u>
Marin, CA	\$67,267	Marin, CA	\$166,253
Arlington, VA	57,882	Fairfield, CT	155,343
Fairfield, CT	57,017	Morris, NJ	155,014
Morris, NJ	56,176	Westchester, NY	148,958
Westchester, NY	54,442	Nassau, NY	148,521
Somerset, NJ	54,208	Somerset, NJ	147,483
<b>MONTGOMERY, MD</b>	<b>53,992</b>	<b>MONTGOMERY, MD</b>	<b>145,352</b>
Fairfax, VA	53,703	Fairfax, VA	142,887
Bergen, NJ	53,391	Bergen, NJ	142,735
Nassau, NY	49,786	Lake, IL	138,172
Montgomery, PA	49,138	San Mateo, CA	135,195
Oakland, MI	48,323	Howard, MD	131,140
San Mateo, CA	48,239	Chester, PA	129,826
Norfolk, MA	47,818	Montgomery, PA	128,503
Howard, MD	47,607	Arlington, VA	127,156
Chester, PA	47,593	DuPage, IL	124,935
Lake, IL	46,389	Norfolk, MA	124,115
Middlesex, MA	45,756	Santa Clara, CA	122,129
DuPage, IL	45,025	Oakland, MI	121,535
Palm Beach, FL	44,430	Contra Costa, CA	120,343

Notes: A major affluent suburban county is defined as a county in either a Metropolitan Statistical Area (MSA) or a Primary Metropolitan Statistical Area (PMSA) with a population of at least 175,000 where income levels are considerably higher than in the central city and other jurisdictions in the area. These counties are primarily suburban in nature; no city or town accounts for 40 percent or more of the total population.

Estimates of 2004 per capita income were based on trending forwarding experience during 2001-2002.

Estimated average 2004 household income was derived by multiplying the estimated 2004 per capita income by the average number of persons per household in 2004.

Source: U.S. Department of Commerce, Bureau of Economic Analysis, "Survey of Current Business", May 2004, for personal income data; Sales and Marketing Management, "2004 Survey of Buying Power" for household data.

*(The remainder of this page has been left blank intentionally.)*

## NEW CONSTRUCTION

Between FY96 and FY00, the number of new construction projects improved each year with an average annual growth rate of 11.7 percent, caused mainly by the dramatic increase of 33.5 percent in FY00. New construction in FY00 was exceptionally strong in the multifamily housing sector. Single and multifamily new residential construction in FY00 jumped to the highest level since FY90, while the combined commercial and industrial sector in FY00 continued to moderate from its peak in FY98. However, such increases in new construction in the residential sector, particularly multifamily units, could not be sustained. In fact, data for FY01 and FY02 show considerable retrenchment, especially the number of construction projects for apartments and condominiums, which when combined declined almost 56 percent. Because of such declines, the growth in additional residential real property tax base declined 8.3 percent over the two-year period. It is clear from the data that the County experienced dramatic growth in the additional real property tax base in FY03 which was attributed to residential rather than non-residential construction. That trend was reversed in FY04 with an increase in the construction of condominiums and non-residential real estate offsetting the decrease in the construction of single-family housing and apartments. As a result, the growth in additional real property tax base increased a modest 1.1 percent in FY04.

**Table 32**  
**New Construction Added to Real Property Tax Base**  
**Montgomery County**  
**(\$ millions)**

<u>Fiscal Year</u>	<u>Number*</u>	<u>Residential</u>	<u>Apartments</u>	<u>Condominiums</u>	<u>Commercial/ Industrial</u>	<u>All Other</u>	<u>Total</u>
2004	15,141	\$ 892.4	\$21.0	\$176.4	\$ 559.1	\$ 3.0	\$ 1,651.9
2003	15,969	1,023.5	49.9	133.2	426.9	1.2	1,634.7
2002	15,696	896.1	19.4	70.8	520.7	1.3	1,508.3
2001	14,599	878.5	53.7	88.2	276.0	4.4	1,300.8
2000	20,205	843.4	93.8	108.4	233.6	7.5	1,286.7
1999	15,130	787.4	11.0	55.9	287.1	24.5	1,165.9
1998	14,162	743.1	1.9	48.9	330.8	27.6	1,152.3
1997	13,837	725.9	7.9	56.0	182.9	6.0	978.7
1996	12,677	<u>764.5</u>	<u>25.2</u>	<u>51.6</u>	<u>116.2</u>	<u>53.9</u>	<u>1,011.4</u>
9-Year Summary		\$7,554.8	\$283.8	\$789.4	\$2,933.3	\$129.4	\$11,690.7
Categories as Percent of Total		64.6%	2.4%	6.8%	25.1%	1.1%	100.0%

\* Indicates total number of all types of building permits.

Note: Property assessed at full cash value in FY2002 and prior years adjusted to full cash value.

Source: Montgomery County Department of Permitting Services (\*), and Maryland State Department of Assessments and Taxation.

*(The remainder of this page has been left blank intentionally.)*

## **Development Districts**

In 1994, the County Council enacted the Development District Law, which allows the County to create development districts and to provide financing, refinancing, or reimbursement for the cost of infrastructure improvements necessary for the development of land in areas of the County of high priority for new development or redevelopment. Special assessments and/or special taxes may be levied to fund the issuance of bonds or other obligations created from the construction or acquisition of infrastructure improvements. The proceeds of development district bonds are used to fund certain road, park, and sewer infrastructure improvements supporting development within the districts.

As a result of a petition by property owners and the subsequent review and analysis of the feasibility of the proposed development district, the County Council, in January 1998, created the County's first development district, West Germantown. Encompassing approximately 671 acres in an unincorporated area of Montgomery County, the district consists of two residential developments, which provide for the construction of 1,291 single-family and 102 multi-family units. A second district, Kingsview Village Center, was created on July 28, 1998. This district consists of a 112,000 square foot retail shopping center, and 236 multi-family housing units.

In separate actions in September 2000 and October 2001, the County Council approved resolutions initiating evaluation of three proposed new development districts located in Clarksburg: Clarksburg Town Center, Clarksburg Village and Clarksburg Skylark. The Clarksburg Town Center development district was created on March 4, 2003. Bonds have not yet been issued for Town Center. Upon completion of the three districts in Clarksburg, the proposed developments will consist of approximately 5,200 residential units, 100,000 square feet of commercial office space, and 260,000 square feet of retail space.

## **ECONOMIC DEVELOPMENT INITIATIVES**

In an effort to stimulate employment growth and new investment, the County initiates programs and promotes the strengths of each of its local employment centers.

### **Technology Corridors**

The I-270 Technology Corridor, recently named "DNA Alley" by *Time* magazine, is a nationally known high technology center. It is home to over 500 biotechnology and information technology companies, including Celera Genomics, Human Genome Sciences, Lockheed Martin, MedImmune, IBM, and Hughes Network Systems. The corridor continues to grow with over 30 million square feet of additional commercial and industrial development in the pipeline.

The U.S. Route 29 corridor in eastern Montgomery County is another emerging high technology and business center with nearly 100 major employers. The \$825 million FDA Headquarters Consolidation project will occupy 130 acres of the 660-acre Federal Research Center in White Oak. The new FDA campus will include 2.1 million square feet of office, lab and support facilities. Nearly 2,000 FDA employees will occupy the campus by May 2005, with almost 8,000 total employees at project completion projected for 2010.

Recognizing the economic importance of such a large federal user like the FDA, the County chose a 115-acre site just northeast of the FDA campus to build its next Science and Technology Center. The Center will feature 800,000 square feet of development, including laboratory and biotech manufacturing facilities, a technology business incubator, a higher education facility, a telecommuter facility, and several built-to-suit sites. The County hopes to break ground in 2005.

Other developments occurring along the Route 29 Corridor include the redevelopment of several existing shopping centers to attract higher-end restaurants and amenities, the development of new shopping centers and restaurants, as well as a new 180-acre mixed-use redevelopment project to include new office, retail and residential development.

## **Central Business Districts**

The County is committed to promoting new investment in its Central Business Districts (CBD). The County's four CBDs in Silver Spring, Wheaton, Bethesda, and Friendship Heights are served by the region's longest extensions of the Metrorail system, and are centers for major business activity and medium- to high-density residential development in close proximity to the Metro stations.

### *Downtown Silver Spring*

Since 1998, the State and Montgomery County together invested over \$186 million for the redevelopment of downtown Silver Spring and today the return on this investment is clearly evident. Downtown Silver Spring has transformed into a vibrant business, retail and entertainment hub – with the American Film Institute and Discovery Communication leading the way.

The redevelopment project includes 500,000 square feet of retail, restaurant and entertainment space, some 240,000 square feet of office space, a hotel, a community facility, and two new parking garages. The first phase was completed in 2000, and features some 100,000 square feet of retail space, including Fresh Fields Whole Foods Market, Strosniders Hardware, and a Sprint PCS Store. In 2001, the project was expanded to include Baja Fresh, Hollywood Video, Next Day Blinds, MotoPhoto and Family Dry Cleaners.

Over the last year, an array of new restaurants and shops were added, including Red Lobster, Panera Bread, Austin Grill, Macaroni Grill, Lebanese Taverna, Pier 1, Ann Taylor Loft, The Majestic 20 movie theater, and Borders Books and Music.

A new 150,000 square foot office building just opened and the American Nurses Association is the anchor tenant, with about 60,000 square feet. Expected to open soon will be a Storehouse Furniture, Red Rock Canyon Grill, Cold Stone Creamery, and Office Depot.

Elsewhere in downtown Silver Spring, the Takoma Park campus of Montgomery College is in the midst of an \$88 million expansion that will extend the campus into the heart of south Silver Spring along the Georgia Avenue corridor. The project marks the single largest capital venture for the College since the creation of the Germantown campus in the 1970s, and is widely seen as a vital component of the revitalization of downtown Silver Spring. The expansion will proceed in three phases over the next six years. Construction on Phase I, the 98,000 square foot Health Sciences Center, began in the fall of 2002 and is now complete. Phase II, the Student Life Center and Pedestrian Bridge, will begin construction in 2004, with an anticipated completion date of 2006. Phase III, the Cultural Arts Center, will begin construction in 2006, with completion expected by 2008. The 180,000 square foot Giant bakery building was acquired in 2002 for future expansion; conversion to house an expanded Art department and art studios is being planned.

A new \$173.6 million Transit Center mixed-use development project, including retail, residential, hotel, and restaurants alongside an inter-modal transportation hub linking bus, rail, and other transportation services is also planned for downtown Silver Spring.

The State of Maryland's designation of downtown Silver Spring as an Enterprise Zone provides special financial incentives for new investment and job creation in the CBD, and continues to attract businesses to the area.

### *Wheaton*

With significant development activity completed, underway and planned by the private sector, the redevelopment of Wheaton as a mixed-use urban center is becoming a reality. Recently completed and occupied residential townhouse projects created Wheaton's first housing in many years within the downtown. Also, a large residential apartment complex opened and began occupancy. These three residential projects represent 361 new downtown dwelling units. The regional mall, Westfield Shoppingtown Wheaton, is also undergoing a major expansion and redevelopment. Throughout Wheaton, development activity is underway or in the planning process. Together the development activity initiated by the private sector will create nearly two million square feet of new development

and generate over \$306 million in private capital investment. These developments will add 736 residential units, nearly 400,000 square feet of new retail and 300,000 - 400,000 square feet of new office space in the downtown area. Pedestrian improvements, new safety measures, and a Clean and Safe Program are being utilized to make the downtown area a more attractive and friendly environment.

### **Redevelopment Projects Completed and Under Construction**

Westfield Shoppingtown Wheaton: In March 2005, Westfield Shoppingtown Wheaton, an 850,000 square foot regional mall, will unveil its newly renovated mall, a new 180,000 square foot Macy's department store, 50 new specialty shops and an additional 100,000 square feet of retail shopping space. Together Westfield Corporation, owners of the mall, and Macy's are investing \$95 million and \$30 million, respectively, in this large retail redevelopment project. The County provided \$6 million to help fund the construction of a new 800 space public parking garage that will support Macy's and the new retail development.

Brownstones and Montgomery at Wheaton Metro: Eakin/Youngentob and Bozzuto Group are finalizing construction of this 318 unit residential project adjacent to the Metro station. This project includes 243 luxury rental apartments and 75 luxury townhouses, along with a new parking garage. Sales of the townhouses began in spring 2004; the average sales price for these homes has been in the mid- to high- \$500,000 range, with some units reaching \$700,000. Bozzuto Group opened its leasing office in November 2004 for the multi-family complex, the Montgomery. Rental prices for the Montgomery will range from approximately \$1,190 to \$2,200, depending on the size of the unit. Public sector support for this joint development project included a \$500,000 State of Maryland Smart Growth Grant for transit-related pedestrian connections and streetscaping, and County funding of \$497,000 for public amenity space, Gateway Plaza, and relocation of telecommunications equipment.

Clairmont at Wheaton Metro: Pulte Homes completed and sold 42 luxury townhouses and one single family house. The sales prices of these townhouses, which were initially offered for sale in Spring 2004, were in the low- to mid-\$400,000 range. A \$200,000 State of Maryland Community Legacy grant provided funding to construct streetscape improvements for this project.

### **Redevelopment Projects Planned to Begin Construction in 2005**

HOC/Bozzuto Metro Air Rights Residential - Bozzuto Group plans to break ground on this 175 unit residential apartment complex in the summer of 2005. A subdivision application for this project is currently under review by the Maryland-National Capital Park and Planning Commission, with a decision expected in January 2005. The project will include 70% luxury units and 30% affordable units, along with a parking garage. Completion is expected in 2007.

Wheaton Rescue Squad - A new 28,000 square foot two-story operations center and community/social hall will be under construction in early 2005 for this downtown private independent rescue squad. The new facility will be located just outside the downtown area at the intersection of Georgia and Arcola Avenues.

Investments by the federal, State and County governments helped facilitate the Wheaton redevelopment and revitalization initiatives. The federal government provided the County with over \$1,000,000 in funding for streetscape and façade improvements and a small business computer technology training center. The State provided over \$800,000 in Smart Growth and Community Legacy Grant funds for transit-related and streetscape improvements. The State also funded a Pedestrian Safety Study and a Public Safety Audit to identify and seek safety enhancements in the downtown. The County established a Redevelopment Office in Wheaton to oversee the redevelopment and revitalization activities, established a Clean and Safe Program to enhance the downtown's appearance, and established the Charles W. Gilchrist Center for Cultural Diversity. Additionally, the County provided public funding support to several private development projects, including Westfield Shoppingtown Wheaton. In the near future, the County will look at amending the existing Retail Preservation Overlay Zone to facilitate more realistic development procedures and encourage redevelopment opportunities, as well as assessing additional local public support to help facilitate new private investment. Business incentives such as Enterprise Zone tax credits and a Green Tape permit expediting program are currently provided by the County to make downtown Wheaton more attractive as a location to expand or relocate.

## *Bethesda*

Downtown Bethesda has become a major urban business and entertainment center in the Washington region, due to the presence of almost 200 restaurants along with the density of both high-rise office and residential buildings. Federal Realty Investment Trust is in the process of completely renovating and reconstructing the streetscape of a seven-block area called Bethesda Row, greatly increasing the mix of retail offerings in Bethesda. The Bethesda Row area continues to flourish and maintain its reputation as the center for nightlife in Montgomery County. The most recent addition to this area is the Landmark Row Cinemas, an “art house” type theater that features mostly independent films. The major office component of Bethesda Row is a 135,000 square foot office and retail building at 7255 Woodmont Avenue. This building delivered in 2001 and is fully leased to Opnet Technologies and AMI Capital, Inc. This facility also features a number of popular street-level restaurants and shops, including Jaleo, Cosi, and Mon Ami Gabi. Additionally, the final phases of Bethesda Row are becoming reality with the relocation and construction of a new gourmet Giant Supermarket and the addition of several luxury apartments and condominiums.

The rest of downtown Bethesda continued to see new additions in 2004. Most notably Nederlander Worldwide Entertainment announced last year that it would establish its east coast headquarters in the former Bethesda Theater Café building. The theater underwent over \$6 million in renovations in preparation for Nederlander’s arrival. The company began producing off-Broadway productions in the theater in 2004. Additionally, a number of luxury townhomes have been built above the theater along with a 345-space County parking garage.

In the downtown Bethesda office market, the major reinvestment program that changed the skyline of the Bethesda CBD is nearing completion. A comprehensive planning program for the CBD was completed in 1984 with a focus on the Bethesda Metro Center station and all of the development associated with that program was constructed. The final major projects completed in the plan were the 306,000 square foot Francis G. Newlands building which was delivered in September 1999, and the 700,000 square foot Chevy Chase Bank headquarters building at 7501 Wisconsin Avenue that was delivered in September 2001. The Chevy Chase Bank building features two 15-story towers and is the corporate headquarters for Chevy Chase Bank. The facility also includes a Chevy Chase Bank branch, a restaurant, retail shops, and a 400-seat performing arts theater. A number of other tenants signed leases in the building, including Profunds Advisors, GMAC, Green Park Financial, and Global Reliance Technology.

Other new mixed-use developments breaking ground include Bethesda View, a Sheridan development; The Palisades, a development by Southern Management; and Residence at Rosedale, a luxury rental apartment project from Magruder Properties.

Downtown Bethesda also features the Capital Crescent Trail, an abandoned railway right-of-way that was purchased by the County and turned into a popular recreational hiker-biker trail running from Silver Spring to the Georgetown area of Washington, D.C.

## *Friendship Heights*

The Friendship Heights CBD is located at the Montgomery County-Washington, D.C. border with the Metrorail station at Wisconsin and Western Avenues at its center. Comprising or adjacent to the Friendship Heights CBD are multiple smaller jurisdictions and developments, including the Village of Friendship Heights special taxing district, the Town of Somerset, the Brookdale neighborhood, and the Somerset House complex.

The Friendship Heights area saw the beginning of two major developments projects in 2004. One project is the New England Development Corporation’s Wisconsin Place development, which will be located at the Hecht Company site on the corner of Wisconsin and Western Avenues. This project will include 305,000 square feet of Class A office space, a 265,000 square foot retail center (including a new Hecht’s building and supermarket), a 20,500 square foot Community Center, 433 moderately-priced housing units, 1,749 new parking spaces, and two parks, all of which will be connected by a system of pedestrian walkways. Also, in February 2004, The Mills Corporation announced it would be relocating its headquarters from Arlington, Virginia to Friendship Heights. Mills will bring over 300 jobs to the County and lease approximately 200,000 square feet in the new Chevy Chase Center. Mills is expected to move into its new facility by the end of 2006.

The approval of Wisconsin Place will account for a significant portion of the development allowed in Friendship Heights under the Friendship Heights Sector Plan. This Plan concentrates new growth in the Metro-served area while preserving the surrounding neighborhoods. The Plan originally allowed for a total of over 1.4 million additional square feet of office and retail space and housing opportunities for an estimated 635 dwelling units on the Hecht's and adjacent Geico properties. One of the first major projects constructed in this Plan was the Chase Tower, a 240,000 square foot retail and office building that delivered in November 2001. This luxury Class A tower is now home to the new corporate headquarters for Ritz Carlton. Other tenants in this building include Capital Trust, Capital Source, and the JBG Companies.

### **Existing Office/R&D/Commercial Space**

As of November 2, 2004, Montgomery County has just over 98 million square feet of commercial real estate space (office, flex, R&D, industrial). The weighted vacancy rate for the County dropped since November 2003 from 9.14% to 8.01%.

Most of Montgomery County's office space is located along two "Technology Corridors", the I-270 corridor and the Route 29 corridor. The I-270 corridor includes the Bethesda, Rockville, Gaithersburg, and Germantown markets and features over 67 million square feet of office space. Notable buildings along the I-270 corridor include the 700,000 square foot Chevy Chase Bank headquarters in Bethesda and the 260,000 square foot Tower Building in Rockville. The Route 29 corridor connects Silver Spring to Burtonsville and includes over 15 million square feet of office space. Discovery Communications' new 550,000 square foot corporate headquarters in downtown Silver Spring is the signature building in the corridor. Also featured along Route 29 is the Westech Business Park, which will include over three million square feet of office, R&D, light industrial, and retail development.

**Table 33**  
**Office/Flex/Industrial/Commercial Space Availability by Submarket**  
**As of November 2, 2004**

<u>Montgomery County Office Market</u>	<u>Total Inventory (Square Feet)</u>	<u>Total Vacant (Square Feet)</u>	<u>Vacancy Rate w/Sublet</u>	<u>Vacancy Rate w/o Sublet</u>
Bethesda/Chevy Chase	12,138,656	1,143,280	12.25%	9.42%
Gaithersburg	15,978,994	970,386	7.84%	6.07%
Germantown	6,413,251	929,858	16.93%	14.50%
Kensington/Wheaton	4,235,236	161,141	3.95%	3.80%
North Bethesda/Potomac	13,576,797	1,060,557	9.09%	7.81%
North Rockville	17,964,087	1,458,616	9.90%	8.12%
North Silver Spring/Rt 29	6,525,662	507,732	7.90%	7.78%
Rockville	13,229,776	975,976	7.97%	7.38%
Silver Spring	<u>8,394,579</u>	<u>678,422</u>	9.01%	8.08%
Total County	<u>98,457,038</u>	<u>7,885,968</u>	9.48%	8.01%

Note: These figures are provided by CoStar Property, the County's source for commercial real estate information.

## **AGRICULTURE**

Agriculture in Montgomery County is a diverse industry that occupies about one-third, or 93,000 acres of the County land area. The County's agriculture industry contributes nearly \$251 million to the local economy. Over \$84 million comes from the County's thriving equine industry, about \$125 million from horticulture, and \$42 million from traditional agriculture. There are more than 577 farms and 350 horticultural enterprises in the County.

The majority of farms are family-run operations, most having been in the same family for several generations. The industry as a whole employs more than 10,000 residents.

Preservation of rural land for agricultural use is a high priority in Montgomery County. Farmland preservation efforts consist of a variety of strategic programs offered by the County and State. Montgomery County received a total of \$16.9 million in Rural Legacy Program grant awards over the past five years.

Since its creation in 1980, the 93,000 acre Agricultural Reserve controlled farmland development in the County. There are approximately 70,000 acres of farmland in the Reserve, and another 20,000 acres within the Reserve are publicly owned (parkland) or previously developed land (rural villages). Over 61,000 acres of farmland, more acreage than in any other county in the nation, are protected through easements.

Farmers and landowners can choose from seven separate agricultural land preservation programs. Each of these programs places an easement on the property that prevents future commercial, residential or industrial development of the land. These programs include:

- Montgomery County Agricultural Easement Program (AEP)
- Maryland Agricultural Land Preservation Foundation (MALPF)
- Maryland Environmental Trust (MET), and other private trust organizations
- Montgomery County Transfer of Development Rights Program (TDR)
- Montgomery County Rural Legacy Program (RLP)
- Montgomery County Legacy Open Space (LOS)
- Conservation Reserve Enhancement Program (CREP)

The Department also supports retail agricultural marketing programs, such as the County-sponsored farmer's markets and annual farm tour, and promotion of wholesale and cooperative marketing.

## **OFFICE/INDUSTRIAL PROJECTS**

### **Public/Private Projects**

In 2004, Montgomery County made significant progress in developing three additional strategic Science and Technology Centers throughout the County. In addition, the County held a grand opening of its second high technology incubator facility, the Silver Spring Innovation Center in downtown Silver Spring. Additionally, the County made significant progress on new "Town Center" projects in downtown Rockville and Silver Spring. Details on all of these projects appear below.

#### *East County Center for Science and Technology (ECCST)*

The East County Center for Science and Technology (ECCST) is a public-private partnership among Montgomery County, the Washington Suburban Sanitary Commission (WSSC) and Republic Properties Corporation. Under the proposed arrangement, a 115-acre site owned by WSSC and located off Route 29 in eastern Montgomery County will be conveyed to the County, with the goal of developing and constructing a science and technology park modeled after the County-owned Shady Grove Life Sciences Center in Rockville. Republic Properties of Washington, D.C. was selected by the County to serve as the County's private development partner in the project. Republic is charged with developing a plan that focuses on eastern Montgomery County's needs for biotechnology and high technology development, along with public amenity needs in the area. Republic's preliminary plan calls for 800,000 square feet of development, including laboratory and biotech manufacturing facilities, a technology business incubator, a higher education facility, a telecommuter building, built-to-suit sites, and a daycare center. The County is currently negotiating the land transfer and development agreements with both WSSC and Republic. While these agreements are being negotiated, Republic started on a number of pre-development tasks such as traffic studies and environmental assessments of the ECCST site. Once the final development agreements are in place, it is estimated that groundbreaking on the Site will take place in late 2005. The entire project is likely to take 10 years to reach full build-out.



### *Montgomery College-Germantown Science and Technology Park*

In early 2003, Montgomery College settled on the purchase of a 20-acre site adjacent to the College's Germantown campus. This property will be combined with 20 acres of existing undeveloped land on the campus to form a 40-acre site on which a one million square foot science and technology center will be constructed. The purchase of the 20-acre site was made possible by a total of \$6.1 million in funding appropriations to the College from the State and County. The preliminary plan for the science and technology center calls for primarily high technology research and development space, with a focus on the life sciences, which will complement the biotechnology programs and curriculum already offered at the Germantown campus. As part of the County's investment in the purchase of the land, the County will be granted a five-acre site on the property to construct and manage a high technology incubator for start-up companies. The plan also calls for facilities for incubator "graduates" as well as space for mature biotech and high technology companies. Once built-out, the center could be home to nearly 4,000 employees. In early 2004, the College received several proposals for development plans, and ultimately selected Foulger Pratt as its development partner. The College hopes to begin construction on the project in 2005.

### *Cabin Branch/Clarksburg Science and Technology Center*

The Cabin Branch/Clarksburg project will be a unique partnership agreement between Montgomery County and Adventist Healthcare. The Cabin Branch property in Clarksburg is a 535-acre property that will become a mixed-use development of residential, retail, and commercial use. The parcel is currently owned by four groups, one of which is Adventist, which owns nearly 200 acres. The preliminary plan for the partnership between the County and Adventist calls for Montgomery County to acquire approximately 30-40 acres of the Adventist-owned land on the Cabin Branch property. The County will acquire this land from Adventist through a unique land swap arrangement, whereby Adventist will be able to convert several of their land leases of County-owned property in the Shady Grove Life Sciences Center into fee simple ownership interests, in exchange for giving the County the land on the Cabin Branch property. While no formal development plans are proposed for the County land on the site, it will likely include a mix of high tech office, R&D, and biotech laboratory space.

### *Silver Spring Innovation Center*

In September 2004, a ribbon-cutting ceremony was held for the Silver Spring Innovation Center (SSIC), the County's second high technology business incubator. The 20,000 square foot facility provides low cost office space and services for start-up information technology companies. The SSIC was built by the JBG Companies and will be owned and operated by Montgomery County. The facility cost \$2.5 million to construct, with the funding coming from a \$1 million investment from the County, a \$1 million grant from the Maryland Technology Corporation (TEDCO), and a \$500,000 investment from the State of Maryland.

### *Downtown Silver Spring/Silver Triangle*

The 22-acre downtown Silver Spring redevelopment is about halfway complete as of the end of 2004. Discovery Communications' new 550,000 square foot corporate headquarters, which houses over 2,000 employees, opened in late 2002. New restaurants and stores are opening every month, including Borders Books, Ann Taylor Loft, Fresh Fields, Strosniders Hardware, Austin Grill, and Panera Bread. Downtown Silver Spring is also home to the AFI Silver Theater, and a new Loews Multiplex movie theater. New office construction is underway in the area as well, including the 150,000 square foot building at 8515 Georgia Avenue, which will be home to the American Nurses Association when it opens in 2005.

### *Rockville Town Center*

The first phase of the \$352 million redevelopment of downtown Rockville broke ground in 2004. The 15-acre site will become a mix of retail, restaurant, cultural, entertainment, residential and office uses when it opens in the fall of 2006. Specifically, the project will consist of approximately 630 total premiere residences, 175,000 square feet of retail and restaurants, three public parking garages, the new Rockville library, and several new office buildings. The City of Rockville, State of Maryland, and Montgomery County are the primary investors in this project.

## **Private Real Estate Projects**

### *Irvington Center (King Farm)*

Office and commercial activity continues to be strong in the 430-acre King Farm urban village in Rockville. The newest office building, Four Irvington Center, is under construction and will feature 200,000 square feet of space and a 120 person conference room when it delivers in 2005. Three Irvington Center broke ground in August 2000, and delivered in April 2002. The 217,000 square foot building experienced significant leasing activity, most notably a 75,000 square foot lease by Dental Benefit Provider, a 24,000 square foot lease by Hilb, Rogal, and Hamilton Company, and an 11,000 square foot lease by Mason Dixon Funding. Federal Medical and Health Extras also signed new leases in this building in 2004. The 165,000 square foot building at Two Irvington Center delivered in December 2000, and includes as tenants Wolpoff and Abramson, Avendra, and Client Network Services Inc. One Irvington Center, the first office building completed on the campus, is almost completely leased to companies such as Aronson and Company, Artesia Technologies, and Quest Software, Inc. This building also includes the upscale restaurant Nick's Chophouse. Additional amenities were also added and proposed for the Irvington Center site in 2004, including the approval to build a 175,000 square foot Sheraton hotel. The entire Irvington Center campus is comprised of over 90 acres and will ultimately include over three million square feet of office commercial, retail, and hotel space.

### *Rock Spring Centre*

Construction began in 2003 on Rock Spring Centre, a 53-acre mixed-use development in Bethesda at the intersection of Interstate 270 and Old Georgetown Road. This project will create a "town-center" feel in North Bethesda's prominent Rock Spring Office Park, which features almost 20,000 employees in nearly five million square feet of office space, and includes the corporate headquarters for Marriott International and Lockheed Martin. Rock Spring Centre will contain up to one million square feet of Class A office space, 225,000 square feet of upscale retail space, and 1,200 luxury apartment units. The Canyon Ranch Spa and Hotel announced the building of a facility in Rock Spring Centre. The Spa and Hotel, along with the other retail and restaurant components of the Centre, is expected to open in late 2005 or early 2006.

### *Seneca Meadows Corporate Center*

Seneca Meadows Corporate Center features nearly 500,000 square feet of Class A office and flex space on 156 acres on the east side of Interstate 270 in Germantown. The park is ultimately approved for a total of 1.6 million square feet of office space which will be used for high tech, biotech, and light industrial users. Current tenants in the park include Smiths Aerospace, Large Scale Proteomics, Roberts Home Medical, Advancis Pharmaceuticals, and Avalon Pharmaceuticals.

### *Tower Oaks Corporate Park*

This 200-acre site is prominently located just off I-270 in Rockville. The 180,000 square foot building located at the Preserve at Tower Oaks is now fully leased with the 2003 additions of Capital Management Strategic Financial Services and Paradigm Solutions Corporation. The primary tenant in this building continues to be Legato Systems (formerly OTG Software). Booz Allen and Hamilton is the most recent tenant in the 260,000 square foot Tower Building located on Wootton Parkway, signing a lease for 40,000 square feet in March 2003. This building also includes the U.S. Department of Health and Human Services, Telenor Satellite Holdings, and HHS Ventures. The 30,000 square foot Oak Plaza is fully leased and includes Sun Control Systems and Ronald Cohen Investments as lead tenants. The Clyde's Tower Oak Lodge restaurant opened in the park in 2002, representing the first retail establishment to locate in the development. The entire Tower Oaks Corporate Park is planned for over two million square feet of office, retail, restaurant, and hotel space.

### *Washingtonian Center*

Washingtonian Center continued to grow and expand in 2004. This 210-acre mixed-use development project in Gaithersburg has a "Town Center" feel with a mix of office, retail, restaurant, residential, and entertainment centers,

all located within walking distance. Two office buildings moved closer to completion in 2004, including a 150,000 square foot building at Washingtonian South, which will be home to Marriott International and a 105,000 square foot building at the Washingtonian Lakefront. Both buildings are scheduled for delivery in 2005. Additional office space proposed includes nearly one million square feet of space at Washingtonian North and 320,000 square feet of space at Washingtonian South. A number of mixed-use projects at the Washingtonian Lakefront made significant progress in 2004. A 1,000 space parking garage that opened in the summer of 2004 will serve a new Courtyard by Marriott hotel, which broke ground in the fall of 2004 and should be complete by the end of 2005. In addition to the new hotel and garage, the Lakefront was approved for high-end retail use and up to five restaurant pads. Several retailers and restaurants committed to Washingtonian, including Ann Taylor Loft, Jos. A. Bank clothiers, Ruth's Chris Steakhouse, and Red Rock Canyon Grill.

#### *Westech Business Park*

Located at U.S. Route 29 and Randolph Road in eastern Montgomery County, this 247-acre site is zoned for up to three million square feet of mixed-use development. A 32,000 square foot flex building in the park delivered in March 2004. This building is in addition to two new 75,000 square foot office buildings, TecHill One and TecHill Two. TecHill Two delivered in early 2002, and is entirely leased to Softmed Systems. TecHill One, which delivered in 2000, had significant recent leasing activity with the additions of Children's Hospital and American Bank. The latest development opportunity at Westech was submitted to the Montgomery County Planning Board as two different options for the same property. Oakridge Office Center would be a 560,000 square foot Class A office campus; Oakridge Flex Center would consist of three flex buildings totaling 240,000 square feet. The ultimate development option for this site will be based on market conditions. The full build-out of the Westech Business Park is expected to generate more than \$200 million in capital investment, and more than 12,000 jobs. Current corporate tenants located in the original buildings constructed in the park include Nextel and Kaiser Permanente.

### **NEW BUSINESS ADDITIONS AND EXPANSIONS**

Montgomery County's Department of Economic Development worked with over 300 companies in 2004 that were looking to expand in or relocate to the County. These companies are projected to create over 3,000 jobs, lease or construct over 900,000 square feet of office space, and generate over \$200 million in capital investment over the next three to five years. Some highlights of the Department's efforts in 2004 include:

#### *TV One*

Downtown Silver Spring continued to be a magnet for new business in 2004 as TV One announced in March 2004 that it would move its new world headquarters to the area. TV One, a new cable channel for African American adults which began broadcasting in January 2004, leased 16,000 square feet of office space at 1010 Wayne Avenue. The company opened its doors in June 2004, and committed to bring 50 new high-paying jobs to downtown Silver Spring, with further expansion promised. With the addition of TV One, downtown Silver Spring further enhanced its reputation as an arts and entertainment district that also includes Discovery Communications, the AFI Silver Theater, and Entravision.

#### *Mills Corporation*

In February 2004, The Mills Corporation announced it would be relocating its headquarters from Arlington, Virginia to Chevy Chase. Mills, a leading developer and operator of innovative retail and entertainment destinations, will bring over 300 jobs to the County and lease approximately 200,000 square feet in the new Chevy Chase Center. Mills is expected to move into its new facility by the end of 2006.

#### *MedImmune*

The Gaithersburg-based drug development company moved into the first phase of its newly constructed facility in 2004. The 150,000 square foot corporate headquarters and 75,000 square foot R&D building took two years to build and cost over \$100 million. Over 500 employees work in this facility.

### *Thales Communications*

Thales Communications expanded into its third building in Clarksburg in October 2004. The new building consists of 25,000 square feet and has room for 92 new employees. Thales now occupies nearly 100,000 square feet in Clarksburg, employing over 350 individuals. Thales Communications is the subsidiary of the Thales Group, based in Paris, France, which generates annual revenue of nearly \$15 billion. Thales Communications' U.S. operations in Clarksburg is best known for developing and manufacturing high-tech military radios and generated approximately \$1.5 billion in sales in 2004.

### *Nederlander Worldwide Entertainment*

Nederlander Worldwide Entertainment, a 90-year-old theater management company, decided to restore and locate in the Bethesda Theater in downtown Bethesda in 2004. The 700-seat theater, which was constructed in the 1930's, will serve as Nederlander's touring headquarters outside New York for the company's off-broadway circuit. The renovation of the theater cost over \$6 million and is a key part of a new \$62.5 million project that also incorporates an upscale apartment complex and new parking garage. Nederlander chose to locate in Bethesda because of the area's commitment to supporting the arts. This commitment is reflected in Bethesda's designation as an Arts and Entertainment District, which provides companies such as Nederlander with tax benefits and other incentives to encourage cultural projects.

### *Goodwill Industries*

Goodwill Industries International is a network of 207 community-based, autonomous member organizations that serves people with workplace disadvantages and disabilities by providing job training and employment services, as well as job placement opportunities and post-employment support. In 2004, Goodwill expanded its headquarters in Montgomery County by moving into a new \$14 million facility in Rockville. Goodwill, which has locations worldwide, employs 50 individuals in Montgomery County.

### *United Therapeutics*

In 2004, United Therapeutics broke ground on a new state-of-the-art 40,000 square foot ovarian cancer lab in downtown Silver Spring. The \$15 million facility will house 25 new employees by 2005. This facility will be crucial for the approval of the drug OvaRex, the company's drug for the treatment of ovarian cancer. OvaRex is in the final phases of human trials and upon the FDA's inspection and validation of the new lab facility, the drug will be approved for use by the public. With this approval, United Therapeutics will become just the second homegrown Montgomery County biotechnology company to have two drugs available to the public. Its first drug, Remodulin, is a treatment for pulmonary arterial hypertension.

### *Human Genome Sciences (HGS)*

HGS continues to rapidly expand in and around the Shady Grove Life Sciences Center (SGLSC) in Rockville. In 2004, the company moved into the first phase of its new corporate and research and development campus located on the Traville property adjacent to the SGLSC. Phase I consists of three buildings totaling over 400,000 square feet of office and lab space, as well as a parking garage. Final plans for this new corporate campus call for a total of one million square feet of development spread over seven buildings. HGS is also constructing a new large scale manufacturing plant on the nearby Belward Research Campus and renovating and expanding its 240,000 square foot research center. Total cost for all of these projects is estimated at \$526 million.

### *The Institute for Genomic Research (TIGR)*

Construction was completed in 2004 on the fifth building for TIGR in the Shady Grove Life Sciences Center in Rockville. This four-story, 120,000 square foot building features wet and dry lab space and administrative office space. This facility cost nearly \$40 million to complete.

SRA International in Rockville, a large government contractor employing 3,300 people in the Washington area, expanded its Montgomery County operations in 2004. The company, which currently has over 270 employees in its Rockville facility, committed to adding 100 new County jobs in the next three years. SRA has several bioinformatics contracts with NIH and FDA.

### **FEDERAL SPENDING**

Federal spending remains an important contributor to the Washington area's economy. According to a George Mason University study, total federal spending accounts for over a third of the metropolitan Washington gross regional product. The success of the region's economy is closely linked to the federal economy, and the federal government remains, either directly as an employer or indirectly through federal spending, the primary source of regional economic growth.

The importance of federal spending in the Washington metropolitan region and in Montgomery County in particular is exhibited in the percent of total federal spending targeted to the Washington MSA. While total federal spending in 2003 amounted to \$2,061.5 billion nationwide, the Washington MSA received \$97.1 billion, a 4.7 percent share. Montgomery County received \$13.3 billion, a 0.7 percent share, or \$14,400 per person. Even though the overall share of regional compared to national spending has grown modestly to nearly 5 percent, some categories of spending growth are far more significant. For example, the region receives over 13 percent of total federal spending on salaries and wages and services and goods in the private sector through the procurement process. While growth in total federal spending is robust for all categories, by far the strongest growth is in procurement. As the table below shows, this category grew 8.8 percent annually nationwide since 1997, but 11.6 percent for the Washington MSA and 9.6 percent for the County. These data also show that federal procurement spending in Montgomery County achieved significant gains in that period, closely tracking growth in the region as a whole. The more than \$13.3 billion in total federal spending in Montgomery County is estimated to represent approximately 30 percent of the gross county product as the federal government boosts economic activity through salaries and wages, transfer payments, and purchases of goods and services with the County's private sector industries. Federal procurement for the County reached \$5.7 billion in FY03, an increase of 13.4 percent, which was the highest level for the County in recent history.

*(The remainder of this page has been left blank intentionally.)*

**Table 34**  
**Federal Procurement Trends**  
**1997 - 2003**  
**(\$ billions)\***

<u>Fiscal Year</u>	<u>Montgomery County</u>	<u>Washington MSA</u>	<u>U.S.</u>
2003	\$5.7	\$44.2	\$327.4
2002	5.0	37.3	271.0
2001	3.9	32.3	246.2
2000	3.8	29.2	223.3
1999	3.4	26.2	208.1
1998	3.5	24.4	209.3
1997	3.2	22.0	193.0
Average Annual Percent Change 1997-2003	9.6%	11.6%	8.8%

\* Amounts shown in current dollars (not adjusted for inflation).

Source: U.S. Bureau of the Census, Consolidated Federal Funds Report, FY 1997-2003.

### **RETAIL SALES**

Reflecting improved economic conditions, retail sales measured by sales tax data collected for the first nine months of 2004, show strong growth in Maryland and a significant increase in Montgomery County. Compared to the prior year, when retail sales in the County grew 4.0 percent, sales growth increased 6.7 percent during the first nine months of 2004 compared to the first nine months of 2003. With consumer confidence improving in the region, retail sales are traditionally one of the first indicators to reflect such increasing confidence.

Retail sales in Montgomery County reflect a slightly different spending pattern compared to the State. After retail sales in the County improved at a solid pace in the past few years, growing 6 percent (1999) and 7 percent (2000), with growth in 2000 reaching a six-year high, the growth rate declined to 3.8 percent in 2001, increased a modest 0.9 percent in 2002, and grew 4.0 percent in 2003. The growth during 2003 was attributed to an increase in sales of furniture and appliances, and hardware and machinery products, while sales of automotive and building and industry products grew at a lesser rate compared to 2002. Retail sales through September 2004 rebounded significantly reflecting a strong overall growth in the purchases of durable goods. A closer inspection of the numbers reveals that some sectors picked up during the first nine months of 2004, especially building and industrial supplies (up 19.2%).

*(The remainder of this page has been left blank intentionally.)*

**Table 35**  
**Sales & Use Tax Receipts**  
**By Principal Business Activity**

	Montgomery County						Maryland	
	2002		2003		Jan.-Sept. 2004		Jan.-Sept. 2004	
	Growth(1)	Share of Total	Growth(2)	Share of Total	Growth(3)	Share of Total	Growth(3)	Share of Total
Food and Beverages	3.3%	23.6%	4.2%	23.6%	6.7%	24.0%	7.2%	20.2%
Apparel	-4.8	6.9	1.6	6.7	2.0	6.2	9.7	4.7
General Merchandise	0.1	17.6	4.6	17.7	5.2	16.1	5.6	16.5
Automotive	3.9	8.3	2.8	8.2	4.6	8.5	4.6	7.4
Furniture & Appliances	-4.2	12.3	4.7	12.5	4.1	12.1	7.9	11.1
Building & Industrial Supplies	5.8	10.1	2.5	9.9	19.2	11.4	18.8	14.9
Utilities & Transportation	7.7	6.7	11.7	7.2	8.5	7.8	9.7	8.2
Hardware, Machinery & Equipment	-4.8	1.6	6.6	1.7	8.3	1.8	10.6	2.7
Miscellaneous	1.2	12.3	0.7	11.9	3.7	11.5	8.8	13.2
Other	-40.6	0.6	0.7	0.6	9.0	0.6	73.3	1.1
Total Retail Sales Tax	0.9%	100.0%	4.0%	100.0%	6.7%	100.0%	9.5%	100.0%

(1) Growth between 2001 and 2002.

(2) Growth between 2002 and 2003.

(3) Growth between the period January through September 2003, and the same period in 2004.

Source: Maryland Comptroller of the Treasury, Revenue Administration Division.

## **MAJOR RETAIL CENTERS**

Montgomery County is served by four regional shopping malls. They are Lakeforest Mall in Gaithersburg, Westfield Shoppingtown Montgomery in Bethesda, Westfield Shoppingtown Wheaton in Silver Spring, and White Flint Mall in North Bethesda.

Lakeforest Mall, located along Maryland Route 355 and Montgomery Village Avenue near I-270, opened in 1978. This 1.1 million square foot mall features 163 stores, including four major department stores: Hecht Company, JC Penney, Lord & Taylor, and Sears Roebuck & Co.

Westfield Shoppingtown Montgomery, formerly known as Montgomery Mall, opened in 1968, and covers 1.6 million square feet of space. It features Nordstrom, Hecht Company, and Sears Roebuck & Co. department stores, 189 other stores, three parking garages, and is served by a Montgomery County Transit Center.

Westfield Shoppingtown Wheaton, formerly known as Wheaton Plaza, is located adjacent to the Wheaton Metro Center at the intersection of Georgia Avenue and Veirs Mill Road in the Wheaton CBD. This was the County's first shopping mall (opened in 1960) and was enclosed and remodeled in 1987. Department stores include Hecht Company, JC Penney, and Target, along with 107 other stores. Macy's will be opening a 180,000 square foot, \$30 million store in the mall. In addition to Macy's, Westfield is adding a second level with another 100,000 square feet and 50 new specialty stores to its existing 850,000 square foot mall. Opening of the new Macy's and the expanded and renovated mall is targeted for Spring 2005. The mall recently opened a new 800 space parking garage.

White Flint Mall, which is located east of Rockville Pike in North Bethesda close to the White Flint Metro Station, opened in 1977 and features three enclosed levels, luxury department stores such as Lord & Taylor and Bloomingdale's, plus 130 other stores. The 900,672 square foot mall also features a five-auditorium cinema and a Border's Bookstore.

*(This page has been left blank intentionally.)*



**APPENDIX B**

**BASIC FINANCIAL STATEMENTS  
FOR THE YEAR ENDING JUNE 30, 2004**

*(This page has been left blank intentionally.)*

## TABLE OF CONTENTS

Exhibit	Description	Page
	Independent Auditors' Report	1
	Management's Discussion and Analysis	3
 <b>BASIC FINANCIAL STATEMENTS</b>		
	<b>Government-wide:</b>	
A-1	Statement of Net Assets	26
A-2	Statement of Activities	28
	<b>Funds:</b>	
A-3	Balance Sheet – Governmental Funds	30
A-4	Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Assets	31
A-5	Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Funds	32
A-6	Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities	33
A-7	Statement of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual – General Fund	34
A-8	Statement of Net Assets – Proprietary Funds	38
A-9	Statement of Revenues, Expenses, and Changes in Fund Net Assets – Proprietary Funds	39
A-10	Statement of Cash Flows – Proprietary Funds	40
A-11	Statement of Fiduciary Net Assets – Fiduciary Funds	41
A-12	Statement of Changes in Fiduciary Net Assets – Fiduciary Funds	42
	<b>Component Units:</b>	
A-13	Statement of Net Assets – Component Units	43
A-14	Statement of Activities – Component Units	44
	Notes to the Financial Statements	45

*(This page has been left blank intentionally.)*



**KPMG LLP**  
2001 M Street, NW  
Washington, DC 20036

## **Independent Auditors' Report**

The Honorable County Council  
Of Montgomery County, Maryland:

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Montgomery County, Maryland (the County), as of and for the year ended June 30, 2004, which collectively comprise the County's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the County's management. Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Montgomery County Public Schools, the Montgomery Community College, the Montgomery County Revenue Authority, and the Bethesda Urban Partnership, Inc., which represent 64% and 92%, respectively, of total assets and revenues of the aggregate discretely presented component units. Those financial statements were audited by other auditors whose reports thereon have been furnished to us, and our opinion on the County's aggregate discretely presented component units financial statements, insofar as it relates to the amounts included for those discretely presented component units, is based solely on the reports of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit and the reports of the other auditors provide a reasonable basis for our opinions.

In our opinion, based on our audit and the reports of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Montgomery County, Maryland, as of June 30, 2004, and the respective changes in financial position and cash flows, where applicable, thereof and the budgetary comparison for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The management's discussion and analysis as listed in the table of contents is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

**KPMG LLP**

December 3, 2004

*(This page has been left blank intentionally.)*

## **Management's Discussion and Analysis**

### **INTRODUCTION**

This discussion and analysis (MD&A) is designed to a) assist readers in understanding Montgomery County, Maryland's (the County's) basic financial statements, the relationship of different types of statements, and the significant differences in the information they provide; b) assist the reader in focusing on significant financial issues; c) provide an overview of the County's current financial activity; d) identify changes in the County's financial position, i.e., its ability to address the next and subsequent year's financial needs, based on currently known facts; e) identify any material deviations from the approved budget for the fiscal year, and f) identify individual fund issues or concerns. The MD&A is best understood if read in conjunction with the Transmittal Letter and the County's basic financial statements.

### **FINANCIAL HIGHLIGHTS**

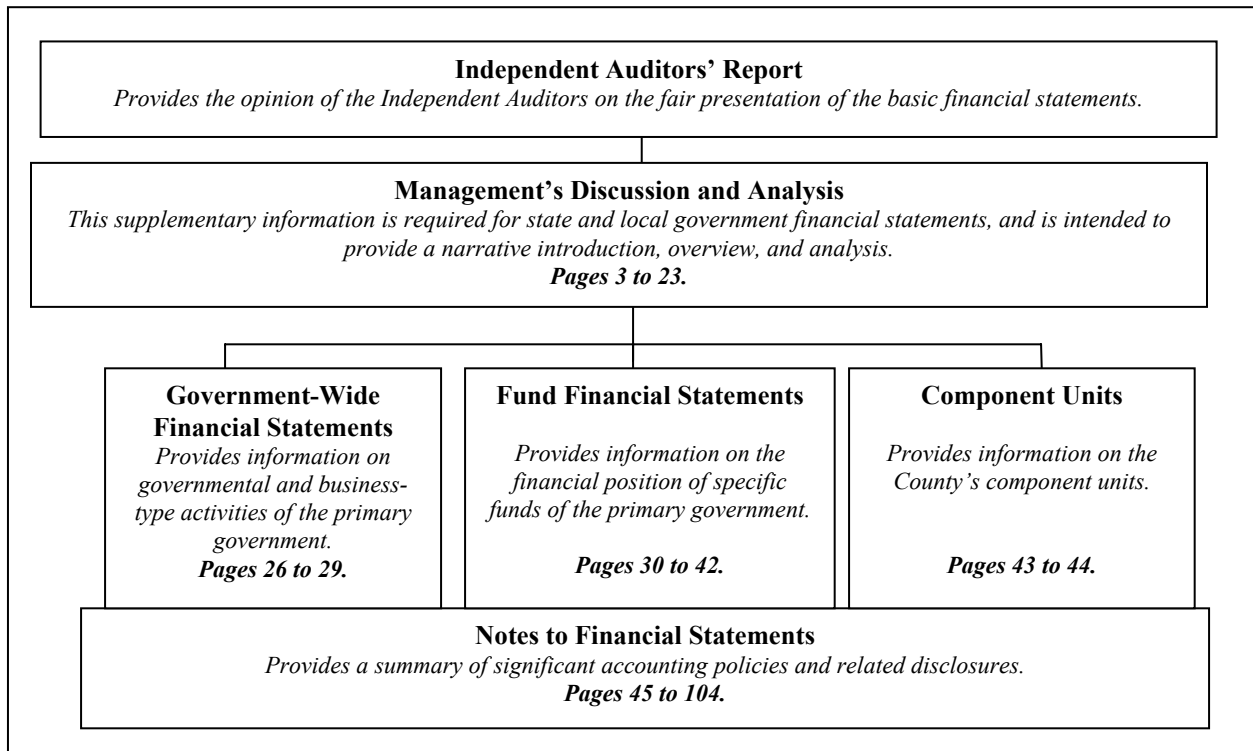
- The government-wide assets of the County exceeded its liabilities at the close of FY04 by \$1,637.9 million. That amount is net of a \$477.5 million unrestricted deficit. The deficit occurs because the County issues debt to fund construction costs for Montgomery County Public Schools (MCPS) and Montgomery Community College (MCC), two of its component units, and for Maryland-National Capital Park and Planning Commission (M-NCPPC), a joint venture. Debt outstanding for these entities amounted to \$817.7 million at June 30, 2004. Absent the effect of this relationship, the County would have reported government-wide positive unrestricted net assets of \$340.2 million.
- The County's total government-wide net assets increased by \$53.7 million.
- As of the close of FY04, the County's governmental funds reported combined ending fund balances of \$445.6 million, an increase of \$65.3 million over the prior year's ending fund balances. Of the total ending fund balances, \$216.4 million is available for spending at the County's discretion.
- At the end of FY04, unreserved fund balance for the General Fund was \$139.1 million, or 7.5 percent of total General Fund expenditures.
- The County's government-wide long-term debt increased by \$101.5 million during FY04. The key factors in this increase are:
  - The issuance of: \$204.1 million in general obligation (GO) bonds, \$190 million in bond anticipation notes (BANS), and \$42.8 million in capital leases.
  - The retirement of: \$162.5 million in GO bonds, \$165 million in BANS, \$7.8 million in revenue bonds, and \$12.4 million in certificates of participation.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The County's financial statements focus on both the County as a whole (government-wide), and on the major individual funds. "Funds" are resources segregated for the purposes of implementing specific activities or achieving certain objectives in accordance with special regulations, restrictions, or limitations. Both the government-wide and fund perspectives allow users to address relevant questions and understand changes in financial conditions. The structure of the financial statements is presented below.

This MD&A is intended to be an introduction to Montgomery County's basic financial statements. Montgomery County's basic financial statements comprise three components, including government-wide financial statements, fund financial statements, and notes to financial statements. This report also contains other supplementary information in addition to the basic financial statements.

## Organization and Flow of Financial Section Information



### Government-Wide Financial Statements

The government-wide financial statements are designed to be corporate-like in that all governmental and business-type activities are reported in columns which add to a total for the primary government. The focus of the statement of net assets is designed to provide bottom line results for the County's governmental and business-type activities. This statement reports governmental funds' current financial resources (i.e., short-term spendable resources) with capital assets and long-term obligations. All infrastructure assets built or purchased by the County, and infrastructure dedicated by developers since 1970, are included in the accompanying government-wide financial statements. The difference between the County's assets and liabilities is reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial health of the County is improving or deteriorating. Additionally, nonfinancial factors, such as a change in the County's property tax base or the condition of County facilities and infrastructure, should be considered to assess the overall health of the County.

The statement of activities is focused on both the gross and net cost of various functions, including governmental and business-type activities. This is intended to summarize and simplify the users' analysis of the cost of various governmental services and/or subsidy to various business-type activities. The governmental activities included reflect the County's basic services, including general government, public safety, public works and transportation, health and human services, and others. Taxes, including the property and income tax, license and permit fees, intergovernmental revenues, charges for services, fines and forfeitures, and investment income finance the majority of these services. The business-type activities reflect private sector-type operations, including: liquor control, solid waste activities, four parking lot districts, permitting services, and community use of public facilities, where fees for services or products are required or designed to recover the cost of operation, including depreciation.



The government-wide financial statements include not only the County itself (known as the Primary Government), but also legally separate entities known as Component Units. Component units, which are other governmental units over which the County Council can exercise influence and/or may be obligated to provide financial subsidy, are presented as a separate column in the government-wide statements and as individual activities in the basic and fund financial statements. The County has five component units – Montgomery County Public Schools (MCPS), Housing Opportunities Commission (HOC), Montgomery Community College (MCC), Montgomery County Revenue Authority (MCRA), and Bethesda Urban Partnership, Inc. (BUPI).

## **Fund Financial Statements**

Traditional users of governmental financial statements may find the fund financial statement presentation more familiar. Funds are accounting devices that the County uses to keep track of specific sources of funding and spending for particular purposes. The County uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. In the fund financial statements, the focus is on major funds rather than the County as a whole. Major funds are separately reported while all others are combined into a single, aggregated presentation. The County has the following three types of funds:

Governmental Funds – Most of the County’s basic services are included in governmental funds, which focus on (1) how cash and other financial assets that can readily be converted to cash flow in and out, and (2) the balances remaining at year-end that are available for spending. The governmental funds financial statements provide a detailed short-term view that helps the reader determine whether there are more or fewer financial resources that can be spent in the near future to finance the County’s programs. Because this information does not encompass the additional long-term focus of the government-wide financial statements, a reconciliation of the fund financial statements to the government-wide financial statements is presented immediately after the fund financial statements.

For example, the fund financial statements will reflect bond proceeds and interfund transfers as other financing sources, as well as capital expenditures and bond principal payments as expenditures. The reconciliation will reflect the elimination of these transactions and will incorporate the capital assets and long-term obligations (bonds and others) that are presented in the governmental activities column (in the government-wide statements). The County has three major governmental funds – General, Debt Service, and Capital Projects – and 17 nonmajor funds (16 special revenue funds and one permanent fund).

Proprietary Funds – Proprietary funds, which consist of enterprise funds and internal service funds, are used to account for operations that are financed and operated in a manner similar to private business enterprises in which costs are recovered primarily through user charges. Proprietary fund financial statements, like the government-wide financial statements, provide both long-term and short-term financial information. The fund financial statements provide more detail and additional information, such as cash flows, for the County’s enterprise funds. The County has three major enterprise funds – liquor control, solid waste activities, and parking lot districts – and two nonmajor funds. The internal service funds, which are presented in a single, aggregated column in the proprietary fund financial statements, are used to account for the provision of liability and property insurance coverage, employee health benefits, motor pool services, and central duplicating services, to County departments on a cost reimbursement basis. Although both the fund and government-wide financial statements provide a long-term and short-term focus, reconciliations between these two sets of statements are still required. This is due to the fact that the excess income/loss for the internal service funds has been redistributed to the customers, including business-type activities; such reconciliations are reflected on the bottom of the proprietary fund financial statements.

Fiduciary Funds – Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the County’s programs. The County’s fiduciary funds consist of pension and other employee benefit trusts, an investment trust, private purpose trusts, and agency funds.

# FINANCIAL ANALYSIS OF MONTGOMERY COUNTY, MARYLAND: GOVERNMENT-WIDE FINANCIAL STATEMENTS

A comparative analysis of government-wide financial information is presented below.

## Statement of Net Assets

The following presents a summary of the Statements of Net Assets for the County as of June 30, 2004 and 2003:

Summary of Net Assets *						
June 30, 2004 and 2003						
	Governmental Activities		Business-type Activities		Total	
	2004	2003	2004	2003	2004	2003
Assets:						
Current and other assets	\$ 986,468,128	\$ 969,369,323	\$ 172,997,180	\$ 172,415,638	\$ 1,159,465,308	\$ 1,141,784,961
Capital assets, net	2,363,793,826	2,250,576,672	208,555,761	176,919,027	2,572,349,587	2,427,495,699
Total Assets	3,350,261,954	3,219,945,995	381,552,941	349,334,665	3,731,814,895	3,569,280,660
Liabilities:						
Long-term liabilities outstanding	1,686,045,195	1,575,665,607	97,474,189	106,358,950	1,783,519,384	1,682,024,557
Other liabilities	278,678,649	268,707,511	31,734,846	34,364,029	310,413,495	303,071,540
Total Liabilities	1,964,723,844	1,844,373,118	129,209,035	140,722,979	2,093,932,879	1,985,096,097
Net assets:						
Invested in capital assets, net of related debt	1,597,253,419	1,584,549,157	137,937,194	98,603,512	1,735,190,613	1,683,152,669
Restricted	288,675,222	253,868,311	91,478,147	90,462,462	380,153,369	344,330,773
Unrestricted (deficit)	(500,390,531)	(462,844,591)	22,928,565	19,545,712	(477,461,966)	(443,298,879)
Total Net Assets	\$ 1,385,538,110	\$ 1,375,572,877	\$ 252,343,906	\$ 208,611,686	\$ 1,637,882,016	\$ 1,584,184,563
* Primary Government						

The County's current and other assets increased by \$17.7 million or only 1.6 percent over FY03. The County's assets exceeded its liabilities at the close of FY04 by \$1,637.9 million. By far the largest portion of the County's net assets reflects its investment in capital assets (e.g., land, buildings, improvements, furniture and equipment, infrastructure), less any related outstanding debt used to construct or acquire those assets. The County uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the County's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources since the capital assets themselves cannot be used to liquidate these liabilities.

It is also important to note that although counties in the state of Maryland issue debt for the construction of schools, those school buildings are owned by each county's Board of Education. The County also funds projects for MCC and M-NCPPC. Therefore, while the County's financial statements include this outstanding debt, they do not include the capital assets funded by the debt. Debt outstanding for these entities amounted to \$817.7 million at June 30, 2004. Absent the effect of this relationship, the County would have reported government-wide positive unrestricted net assets of \$340.2 million.

An additional portion of the County's net assets (\$380.2 million or 23 percent) represents resources that are subject to restrictions on how they may be used. This amount includes \$95.9 million in net assets restricted for revenue stabilization for periods of economic downturn.

## Statement of Activities

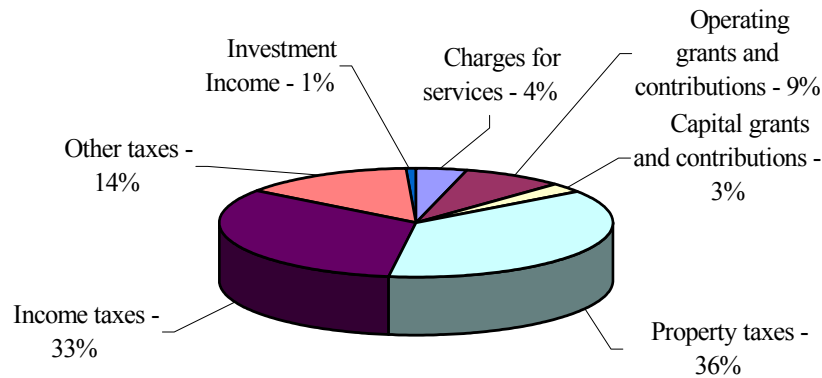
The following table summarizes the County's change in net assets for the years ended June 30, 2004 and 2003:

Summary of Changes in Net Assets *						
For the Fiscal Years Ended June 30, 2004 and 2003						
	Governmental Activities		Business-type Activities		Total	
	2004	2003	2004	2003	2004	2003
<b>REVENUES</b>						
Program Revenues:						
Charges for services	\$ 101,159,195	\$ 93,376,278	\$ 316,912,133	\$ 292,575,741	\$ 418,071,328	\$ 385,952,019
Operating grants and contributions	212,715,817	210,945,105	51,952	51,154	212,767,769	210,996,259
Capital grants and contributions	65,016,769	37,716,052	-	-	65,016,769	37,716,052
General revenues:						
Property taxes	919,320,985	856,439,593	7,591,413	7,096,856	926,912,398	863,536,449
Income taxes	812,975,046	757,486,559	-	-	812,975,046	757,486,559
Other taxes	349,045,891	222,860,308	-	-	349,045,891	222,860,308
Investment income	23,243,889	31,489,144	1,821,746	3,069,224	25,065,635	34,558,368
Gain on sale of capital assets	-	5,433,151	2,528,262	58,750	2,528,262	5,491,901
Total Revenues	<u>2,483,477,592</u>	<u>2,215,746,190</u>	<u>328,905,506</u>	<u>302,851,725</u>	<u>2,812,383,098</u>	<u>2,518,597,915</u>
<b>EXPENSES</b>						
Governmental Activities:						
General government	211,957,281	206,410,568	-	-	211,957,281	206,410,568
Public safety	373,518,674	348,701,601	-	-	373,518,674	348,701,601
Public works and transportation	175,276,975	157,009,091	-	-	175,276,975	157,009,091
Health and human services	210,481,464	208,820,841	-	-	210,481,464	208,820,841
Culture and recreation	79,110,368	86,021,724	-	-	79,110,368	86,021,724
Community development and housing	19,970,947	19,602,595	-	-	19,970,947	19,602,595
Environment	8,310,848	6,672,833	-	-	8,310,848	6,672,833
Education	1,322,003,030	1,225,921,559	-	-	1,322,003,030	1,225,921,559
Interest on long-term debt	69,895,441	66,928,923	-	-	69,895,441	66,928,923
Business-type Activities:						
Liquor control	-	-	144,912,612	135,890,772	144,912,612	135,890,772
Solid waste activities	-	-	97,987,992	90,633,907	97,987,992	90,633,907
Parking lot districts	-	-	19,370,927	19,662,075	19,370,927	19,662,075
Permitting services	-	-	19,970,101	17,866,311	19,970,101	17,866,311
Community use of public facilities	-	-	5,918,985	5,931,243	5,918,985	5,931,243
Total Expenses	<u>2,470,525,028</u>	<u>2,326,089,735</u>	<u>288,160,617</u>	<u>269,984,308</u>	<u>2,758,685,645</u>	<u>2,596,074,043</u>
Increase (Decrease) in Net Assets						
Before Special Item and Transfers	12,952,564	(110,343,545)	40,744,889	32,867,417	53,697,453	(77,476,128)
Special items:						
Loss on disposal of capital assets	-	-	-	(3,938,026)	-	(3,938,026)
Depreciation adjustment	-	-	-	599,465	-	599,465
Transfers	(2,987,331)	20,854,550	2,987,331	(20,854,550)	-	-
Increase (Decrease) in Net Assets	9,965,233	(89,488,995)	43,732,220	8,674,306	53,697,453	(80,814,689)
Net Assets, beginning of year	1,375,572,877	1,465,061,872	208,611,686	199,937,380	1,584,184,563	1,664,999,252
Net Assets, end of year	<u>\$ 1,385,538,110</u>	<u>\$ 1,375,572,877</u>	<u>\$ 252,343,906</u>	<u>\$ 208,611,686</u>	<u>\$ 1,637,882,016</u>	<u>\$ 1,584,184,563</u>
* Primary Government						

### Governmental Activities

Revenues for the County's governmental activities were \$2,483.5 million for FY04. Sources of revenue are comprised of the following items:

#### **Revenues by Source - Governmental Activities For the Fiscal Year Ended June 30, 2004**

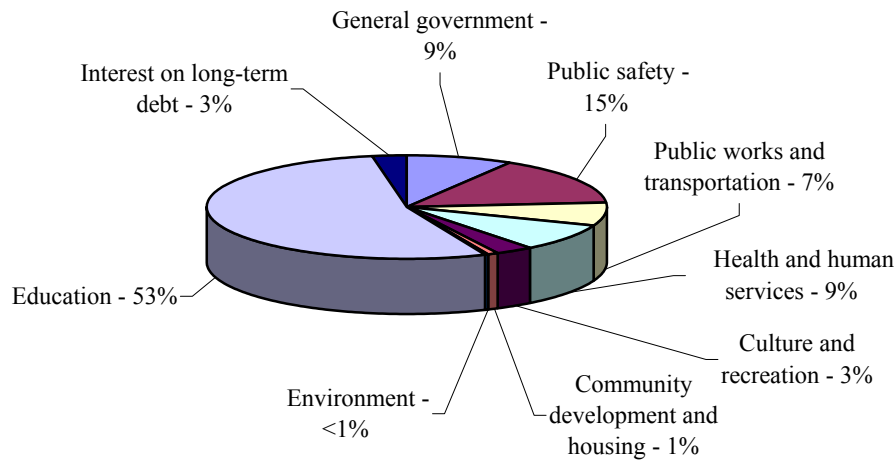


- Taxes constitute the largest source of County revenues, amounting to \$2,081.3 million for FY04. Property and local income tax combined comprise 70 percent of all County revenues. Each County in Maryland sets its income tax rate within parameters established by the State. The local income tax rate was 3.2 percent of the State taxable income for calendar year 2004 and 2.95 percent for 2003. There is no local sales tax in the State of Maryland.
- Operating grants and contributions represent primarily grants from the Federal and State governments and State aid programs. The majority of such revenues are received to fund the following County programs: health and human services (\$113 million or 53 percent), public works and transportation (\$49.3 million or 23 percent) and public safety (\$32.5 million or 15 percent).

A more detailed discussion of the County's revenue results for FY04 as compared to what was budgeted can be found in the General Fund Budgetary Highlights section of this MD&A.

The cost of all governmental activities for FY04 was \$2,470.5 million. As the chart below indicates, education constitutes the County's largest program and highest priority; education expenses totaled \$1.3 billion. Public safety expenses totaled \$373.5 million, general government services totaled \$212 million, and health and human services, the fourth largest expense for the County, totaled \$210.5 million.

**Expenses by Function - Governmental Activities  
For the Fiscal Year Ended June 30, 2004**



The following table presents the cost and program revenues of each of the County's six largest programs – education, public safety, general government, health and human services, public works and transportation, and culture and recreation – as well as each program's net cost (total cost less fees generated by the activities and program-specific intergovernmental aid).

Net Cost of County's Governmental Activities For the Fiscal Years Ended June 30, 2004 and 2003						
	Expenses		Revenues		Net Cost of Services	
	2004	2003	2004	2003	2004	2003
Education	\$ 1,322,003,030	\$ 1,225,921,559	\$ -	\$ -	\$ 1,322,003,030	\$ 1,225,921,559
Public safety	373,518,674	348,701,601	56,302,171	40,534,761	317,216,503	308,166,840
General government	211,957,281	206,410,568	50,439,718	45,261,534	161,517,563	161,149,034
Health and human services	210,481,464	208,820,841	116,265,854	117,823,577	94,215,610	90,997,264
Public works and transportation	175,276,975	157,009,091	83,645,717	84,346,430	91,631,258	72,662,661
Culture and recreation	79,110,368	86,021,724	55,869,027	31,240,009	23,241,341	54,781,715
Other	98,177,236	93,204,351	16,369,294	22,831,124	81,807,942	70,373,227
Total	<u>\$ 2,470,525,028</u>	<u>\$ 2,326,089,735</u>	<u>\$ 378,891,781</u>	<u>\$ 342,037,435</u>	<u>\$ 2,091,633,247</u>	<u>\$ 1,984,052,300</u>

Some of the cost of governmental activities was paid by those who directly benefited from the programs (\$101.2 million) and other governments and organizations that subsidized certain programs with grants and contributions (\$277.7 million). Culture and recreation revenues in FY04 included \$23.6 million in State funding towards construction of an Arts Education facility and a Concert Hall at the Strathmore Hall facility; such costs have been capitalized.

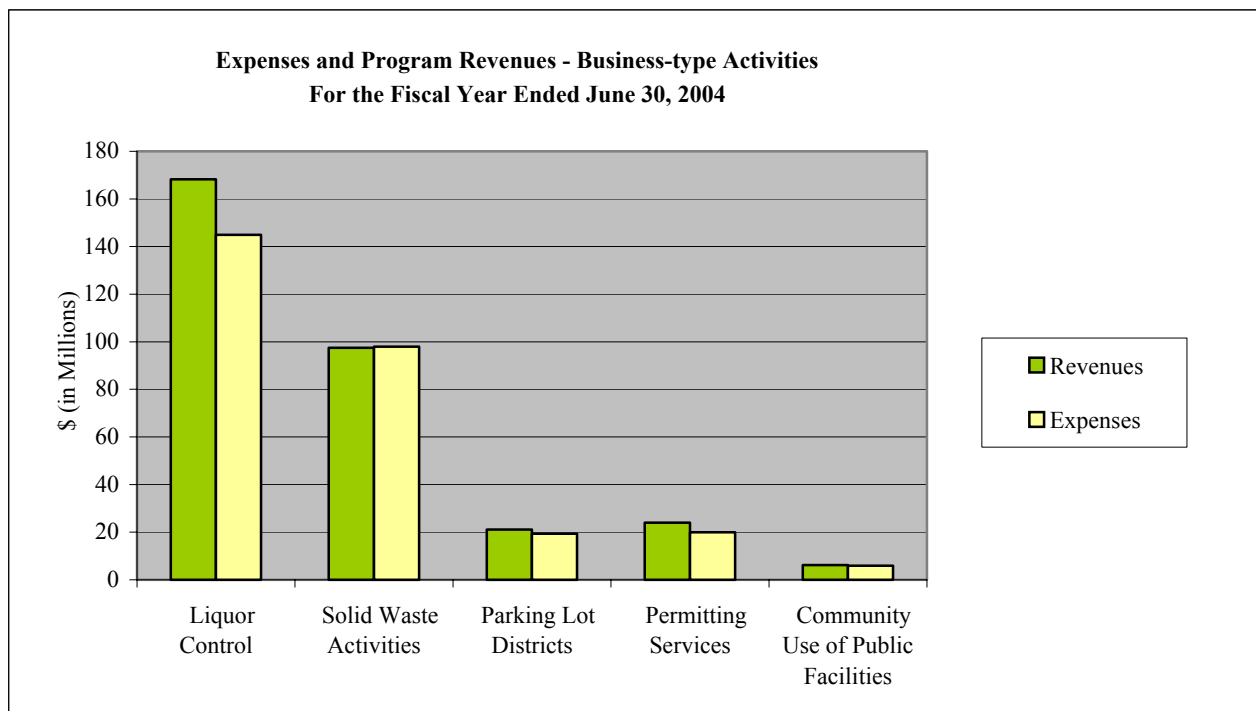
Of the \$2,091.6 million net cost of services, the amount that our taxpayers paid for these activities through County taxes was \$2,081.3 million; the remainder was funded by investment income. Increases in expenses for public works and transportation include costs associated with Hurricane Isabel; expanded and more frequent bus service under the first full year of the Go Montgomery! program; a catch-up on preventive maintenance on buses; and increased operational costs, including fuel and insurance, associated with the bus fleet.

### **Business-type Activities**

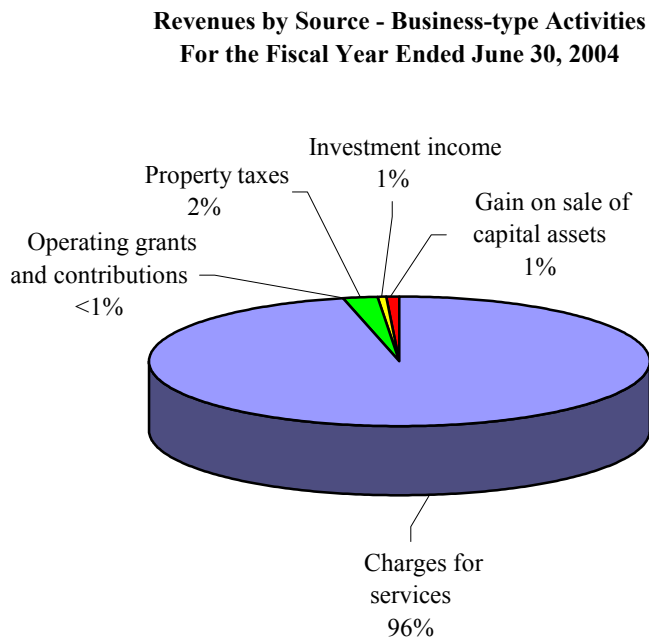
Highlights of the County's business-type activities for FY04 are as follows:

- Business-type activities experienced an increase in net assets of \$43.7 million for FY04. However, this amount is reported after total net transfers in of \$3 million. The most significant components of this amount include \$36 million in transfers in from the General Fund to the Silver Spring Parking Lot District, representing the value of donated assets in the form of garages under construction, netted against \$20.5 million in FY04 Liquor Enterprise Fund profits transferred to the General Fund. Under State law, the Montgomery County Department of Liquor Control has a monopoly on the sale of alcoholic beverages within the County.
- Charges for services to users comprise 96 percent of revenues, with \$168.3 million (53 percent of charges for services revenue) attributable to liquor control operations and \$97.4 million (31 percent) attributable to solid waste activities. The remaining charges for services are generated from operations relating to parking lot districts, permitting services, and community use of public facilities.
- Parking lot district property taxes of \$7.6 million is the second largest source of revenue at only 2 percent.
- Investment income of \$1.8 million reflects a decrease of \$1.3 million (42 percent, after a 21 percent decrease in FY03), primarily because of the continuing significant drop in interest rates during the year.

Business-type activities are shown below comparing costs to revenues generated by related services:



Business-type revenues by source are comprised of the following:



#### **FINANCIAL ANALYSIS OF THE GOVERNMENT'S FUNDS**

As noted earlier, the County uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

##### **Governmental funds**

The focus of the County's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is valuable in assessing the County's financing requirements. In particular, the unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

At the end of FY04, the County's governmental funds reported combined ending fund balances of \$445.6 million, an increase of \$65.3 million from the end of FY03. Of the total ending fund balances, \$216.4 million constitutes the unreserved fund balance, which is available for spending at the County's discretion. The remainder of the fund balances of \$229.2 million is unavailable for new spending because it has been reserved for prior period commitments and legal restrictions.

The General Fund is the primary operating fund of the County. At the end of FY04, unreserved and undesignated fund balance of the General Fund was \$26.7 million, while total fund balance was \$158.9 million. As a measure of the General Fund's liquidity, it may be useful to compare both unreserved and undesignated fund balance and total fund balance to total fund expenditures. Unreserved and undesignated fund balance represents 1.2 percent of the total General Fund expenditures and transfers out, while total fund balance represents 7.4 percent of the same amount.

The fund balance of the County's General Fund increased by \$32.5 million during FY04, primarily due to \$70.7 million in accelerated income tax distributions from the State, which is described more fully under the General Fund Budgetary Highlights section below, and in Note IC.

The Capital Projects Fund has a total fund balance of \$56.8 million, which represents authorized and funded projects that are not completed. The unreserved deficit in this fund results primarily from fund balance encumbrances and legal restrictions on debt proceeds on hand.

The Debt Service Fund accumulates resources for the payment of general long-term debt principal, interest, and related costs. This fund does not maintain an unreserved fund balance.

A more detailed discussion of General Fund revenues can be found in the General Fund Budgetary Highlights section of MD&A. Other factors concerning the finances of the governmental funds are addressed in the discussion of the County's governmental activities.

### **Proprietary funds**

The County's proprietary funds provide the same type of information found in the government-wide statements, but include more detail.

Unrestricted net assets of the Liquor Fund at the end of FY04 amounted to \$23 million, and operating income was \$23.4 million. After a subsidy transfer to the General Fund of \$20.5 million, the fund ended FY04 with an increase in net assets of \$2.9 million.

The Solid Waste Activities Fund total net assets amounted to \$61 million, of which the unrestricted net assets were \$20 million. Restricted net assets of \$35.6 million are attributable to required debt service reserve accounts for the Solid Waste Disposal revenue bonds.

The Parking Lot Districts Fund increase in net assets amounted to \$41.3 million in FY04, resulting in total ending net assets of \$161.5 million. Of this amount, \$125.7 million (78 percent) is invested in capital net of related debt; \$5.4 million (4 percent) is restricted for debt service on revenue bonds; and \$30.4 million (19 percent) is unrestricted. Of the \$41.3 million increase in net assets, \$36 million relates to transactions involving two garages entered into as part of the redevelopment of downtown Silver Spring. The County is acquiring the garages, under a capital lease. The lease is a general governmental obligation, and the asset is reflected in the Silver Spring Parking Lot District (SSPLD), as required by law. Therefore, the SSPLD reflects a transfer in from the General Fund of \$36 million, the value of additions to capital assets during FY04.

A discussion of enterprise fund long-term debt can be found in the Long-Term Debt section presented later in this MD&A. Other factors concerning the finances of the enterprise funds are addressed in the discussion of the County's business-type activities.



## General Fund Budgetary Highlights

Revisions to the General Fund expenditure original budget (excluding transfers) to arrive at the final budget amounted to \$25.4 million, which included County Council approved supplemental and special appropriations and County Executive supplemental appropriations. Major components of the appropriation increases include the following:

- \$6.2 million for costs associated with excess snow removal;
- \$5.4 million for costs associated with Hurricane Isabel;
- \$2.2 million to replace Federal funding for developmental disability service providers that was lost due to a change in the State's developmental disability payment system; and
- \$7.5 million in health-related services funded by Federal Financial Participation revenue.

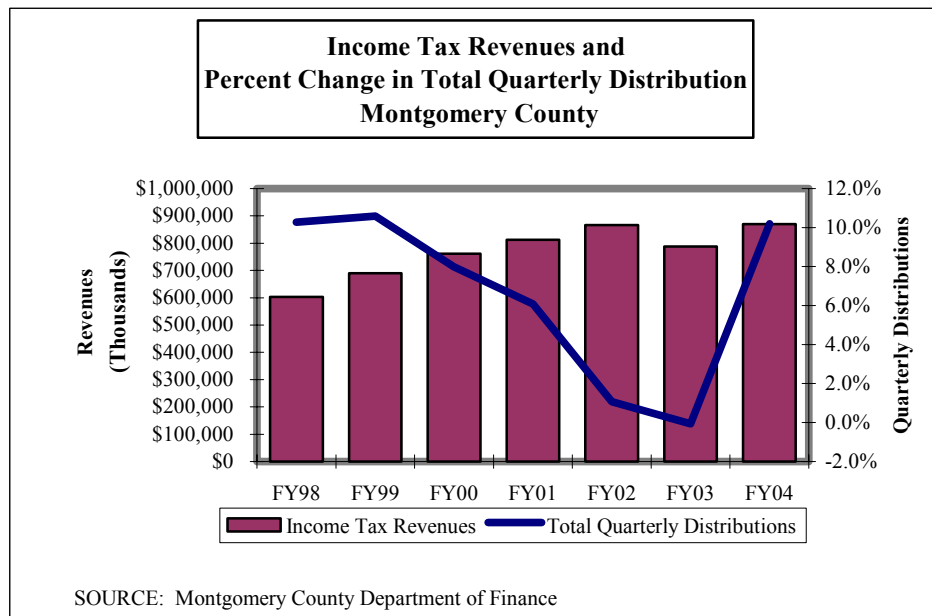
Actual revenues were greater than budget amounts by \$99 million, while actual expenditures and net transfers out were less than final budget by \$2.1 million and \$43.9 million, respectively. Highlights of the comparison of final budget to actual figures for expenditures and net transfers for the fiscal year-ended June 30, 2004, include the following:

- Actual expenditures of \$654.1 million were \$2.1 million less than the final budget, which represents .3 percent of the final budget, and is attributable to savings achieved across numerous departments.
- Actual transfers to the Capital Projects Fund and component units for capital purposes were less than budgeted by \$46.4 million. This is due both to the multi-year nature of capital projects, and to time delays that can be encountered for certain projects.

A more detailed comparison of final budget to actual figures for revenues is presented below:

- Overview – Actual revenues for the General Fund totaled \$2,099.8 million and were 4.9 percent above the budget estimate for the fiscal year and 13.4 percent above actual revenues for FY03. The three largest contributors to the variance between the budget estimate and actual revenues were the recordation tax (\$48.3 million above the budget estimate), followed by the income tax (\$32 million above the estimate), and finally, the transfer tax (\$29.7 million above the estimate). The war on terror and the various terrorism alerts in the Washington metropolitan region had an effect on the region's and County's hospitality industry during FY04. While actual revenue from the County's hotel-motel room tax was 6.7 percent above actual revenue during FY03, it was 6 percent lower than the budget estimate. During FY04, the County Council adopted rate increases to the fuel and energy taxes and the telephone taxes. Fuel and energy tax rates were increased threefold, and the Council imposed a \$2.00 per month tax rate on cellular telephones, while doubling the rate on landlines. While low interest rates, particularly low mortgage rates, were a boon to the transfer and recordation tax receipts, they had a negative effect on revenues from the County's investments. Investment income was \$8 million below the budget estimate. Other nontax-tax sources of revenue came in below budget estimates. Such sources included licenses and permits (↓ 0.3 percent); charges for services (↓ 12.9 percent), which was attributed to a drop in public safety user fees; fines and forfeitures (↓ 61 percent), which was attributed to a significant decline in anticipated fines from photo red light operations; and miscellaneous sources (↓ 3.1 percent). Intergovernmental revenues were 4.4 percent above the budget estimate. Such increase was attributed to the federal reimbursements, primarily for Federal Financial Participation, which came in 25.4 percent above the budget estimate, while state aid and reimbursements were a very modest 0.1 percent below the budget estimate.

- Income Taxes** – The largest revenue source for the General Fund is the County income tax. Revenues from the income tax were \$869.7 million and represented 44.8 percent of total tax revenues for the General Fund and 41.4 percent of total revenues in FY04. Income tax receipts became the majority source of tax revenues in the General Fund when it surpassed the property tax in size in FY99. The dramatic shift in the reliance on the income tax as a major source of revenue can be attributed to two factors: the expanding employment base in the County during the 1999-2001 period and growth in capital gains during that same period. Even with a sluggish stock market and minimal growth in the County's payroll employment, revenues increased 10.4 percent in FY04 compared to a 9.1 percent decline in FY03. There are a number of factors that contributed to the increase in income tax revenues. First, the County Council increased the local income tax rate from 2.95 percent to 3.20 percent. Second, the Maryland State Comptroller (Comptroller) implemented three administrative changes to the distribution of revenue collections to the County. The first such change was the procedure expediting the submittal of withholding by employers. Previous to the change, the Comptroller received employers' withholdings on the fifteenth day of the subsequent month. The new procedure requires employers to submit their withholdings within three business days. As a result, the Comptroller accelerated the August distribution to the month of July, and therefore, due to the County's 30 day revenue availability period for the General Fund, the distribution was included in FY04 instead of the subsequent fiscal year. The second administrative change proposed by the state accelerated fifty percent of three years of unclaimed withholdings (tax years 2001, 2002, and 2003). The third and final administrative change modified the unallocated percentage with a three percentage point reduction, resulting in an increase in quarterly distributions of withholdings and estimated payments. As the chart below illustrates, total quarterly distributions for withholding and estimated payments increased 10.2 percent (FY04) compared to -0.1percent (FY03), +1.1 percent (FY02), +6.1 percent (FY01), +8 percent (FY00), +10.6 percent (FY99), and +10.3 percent (FY98).

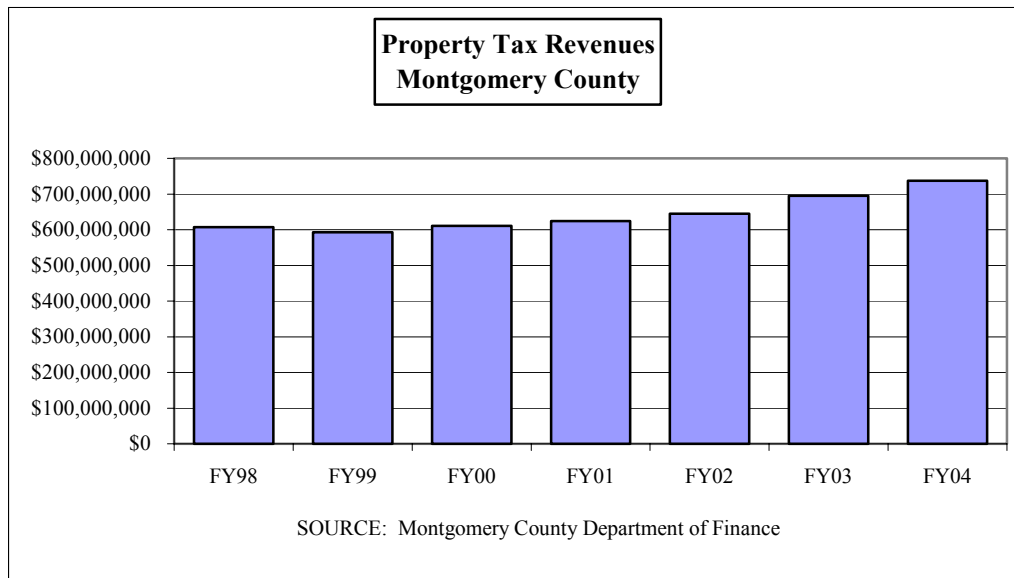


However, with the increase in the tax rate and the administrative changes to the distribution formulae by the Comptroller, underlying economic factors such as capital gains and employment were a drag on income tax receipts. While total payroll wages increased in nominal terms during calendar year (CY) 2003, the latest date from which data are available, wages did not increase in real dollars, i.e., adjusted for inflation. During CY03, the total number of payroll jobs was 449,909. When compared to CY02, the number of payroll jobs increased slightly by less than 1,800 jobs or 0.4 percent. The minimal growth is attributed to a

slight decline in the number of jobs in the local government sector and in goods-producing industries. However, the lack of growth in those sectors was offset by a gain in service-providing sectors, particularly in the professional and business, and financial services sectors.

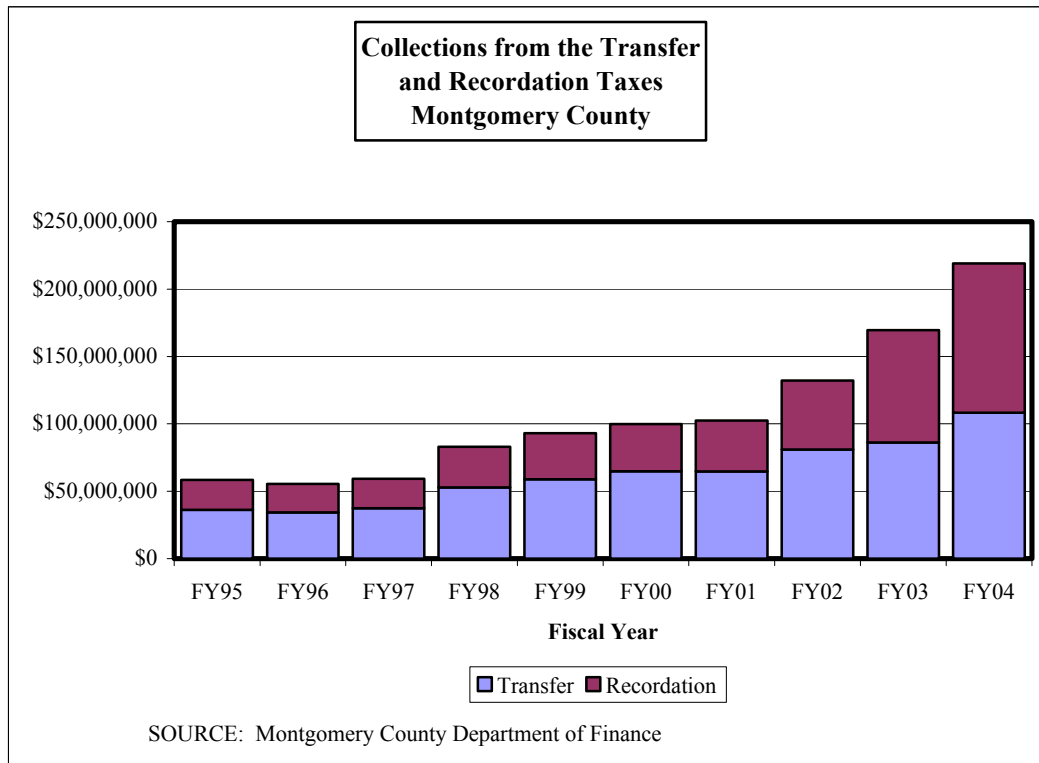
- **Property Taxes** – Property tax collections in the General Fund amounted to \$737 million in FY04, which were \$7.3 million higher than the budget estimate and 6 percent above actual revenues in FY03. Property taxes, excluding penalty and interest, were \$734.7 million in FY04 – an increase of 6.3 percent over last year. However, collections from penalty and interest were \$2.3 million, a decrease of 44.3 percent compared to FY03 actual revenues, and below the recent four-year annual average of approximately \$3.7 million.

The increase in property tax collections was the result of an 8.3 percent increase in the assessable base for real property from FY03 to FY04. This was the largest increase in over eight years. New construction, which added \$1.7 billion to the base in FY04, was 1.1 percent greater than FY03. The dramatic increase in the reassessment rate from 6.4 percent to 36.3 percent for Cycle Three reassessments (based on triennial reassessment cycles by geographic area performed by the State Department of Assessments and Taxation) of the County's real property, which followed increases in the rate from 1.1 percent to 13.5 percent for Cycle One reassessments in FY02 and from 2.7 percent to 21.8 percent for Cycle Two reassessments, were the primary reasons for the increase in property tax collections. Because of the dramatic increases in the reassessment rates, such increases added \$5.2 billion to the real property tax base. As a result, the 6.1 percent increase in tax-supported property tax revenues in FY04 was one of the highest increases during the past eight fiscal years.



After their decline in FY98, assessments of personal property increased 2.8 percent in FY99, 3.2 percent in FY00, 5.1 percent in FY01, 3 percent in FY02, 0.6 percent in FY03, but declined 6.2 percent in FY04 primarily due to a decline in corporate personal property reflecting the moderate economic growth in the County. Assessments of real property continued their growth with an increase of 6.2 percent in FY03 and 8.3 percent in FY04. As a result of continued growth in real property, the total assessable base grew 5.9 percent in FY03 and 7.6 percent in FY04.

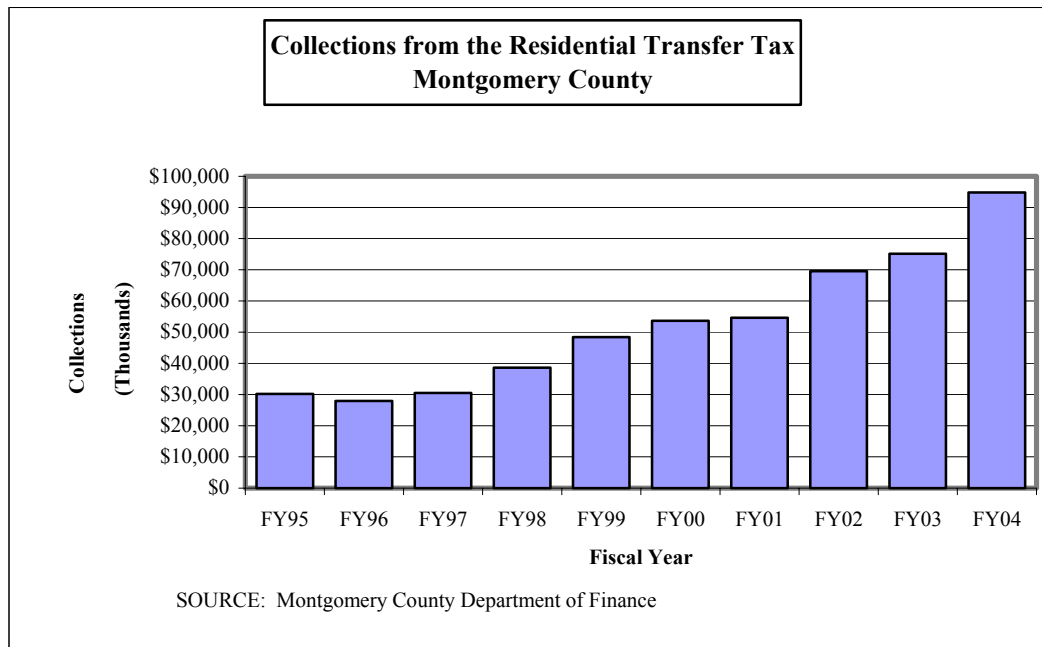
- **Transfer and Recordation Taxes** – The third major category in the County is the combination of real property transfer and recordation taxes. The combined tax receipts from these sources were \$219.1 million, which was 55.2 percent above the budget estimate and 29.2 percent above FY03. Collections from transfer and recordation taxes continue to reach record highs. As the accompanying chart illustrates, the amount collected from these taxes increased from \$83 million in FY98 to \$219 million in FY04, nearly a threefold increase.



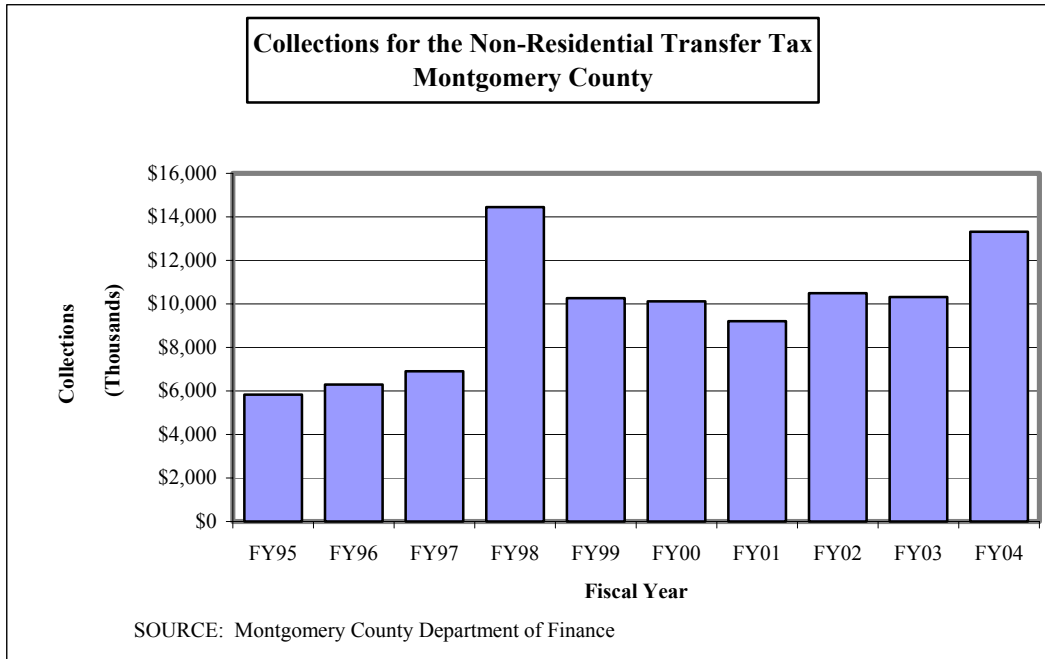
Following a two-year decline in tax collections from transfer and recordation taxes ending in FY96 that reflected a weak real estate market in the County, receipts began their historical rise in FY97 increasing 6.7 percent, jumping 40.1 percent in FY98 and 12.1 percent in FY99, moderating in FY00 and FY01, then accelerating another 29 percent per year from FY02 through FY04. Collections from recordation taxes exhibited the larger increase in FY04, 32.8 percent, compared to transfer taxes, which increased 25.7 percent. That increase was attributed to a 40 percent jump in revenues collected solely from mortgage refinancing. In FY03, mortgage refinancing contributed \$28.8 million, or 34.9 percent, of total recordation tax revenues. In FY04, mortgage refinancing contributed \$40.4 million, or 37.4 percent, of total recordation tax revenues – an increase of nearly 40 percent.

Revenues from the transfer tax were exceptionally strong in FY04 with total collections at \$108.3 million for an all time record high. Revenues from the residential sector were \$94.9 million, an increase 26.2 percent over FY03, and revenues from the nonresidential-residential sector were \$13.4 million, an increase of 29.1 percent. The continued surge of real estate activity in FY04, attributed to historic low mortgage interest rates and accelerating home prices, was a primary factor contributing to the underestimates of projected transfer and recordation tax revenues for FY04.

A closer examination of the trend in the transfer tax from FY98 to FY04 provides two different growth patterns between residential and nonresidential-residential transfer tax receipts. Except for FY01, transfer taxes from the residential real estate market exhibited exceptional growth rates over this period. Excluding FY01 and FY03, tax collections increased at an average annual rate of 23.3 percent between FY98 and FY04. In FY01 and FY03, the growth rates were below 9 percent for the first time since FY97, but still remained positive. Because of such exceptional increases, the amount collected in FY04, \$94.9 million, was a record. The average transfer tax also increased during this period from \$2,254 in FY98 to \$3,806 in FY03, representing a 70 percent growth rate and indicative of the jump in housing prices and a shift towards larger and more expensive homes in the County.



Similar to the residential sector, the commercial or nonresidential-residential sector experienced the same exceptional performance in FY04. However, over the previous six fiscal years, recordation taxes exhibited volatility. While the amount of collections from the commercial sector doubled in FY98 from the previous fiscal year, the growth rates declined over the next three fiscal years until FY02, when receipts increased 14 percent, decreasing 1.7 percent in FY03, and increasing 29.1 percent in FY04. The cause of the decline in the growth rates is attributed to the decline in the number of transfers from FY99 to FY01. The average nonresidential-residential tax increased from approximately \$33,500 in FY03 to \$42,300 in FY04, an increase of 26.3 percent.



- Other Taxes** – The remaining tax sources – consisting of hotel/motel, fuel/energy, telephone, and admissions and amusement taxes – totaled \$116.9 million and were approximately \$1.2 million, or -1 percent, below the budget estimate. The modest economic expansion coupled with ongoing efforts against international terrorism had an effect on revenues from the hotel/motel industry (↓ 6 percent below budget estimate) during FY04. The economy, particularly the modest increase in real personal income of less than one percent, also affected revenues from the admissions tax (↓ 17.9 percent), attributed to a reduction in attendance at movie theaters and facilities providing video arcades and games, and the telephone tax (↓ 12.7 percent), attributed to a significant reduction in landlines. Fuel and energy taxes were 5.8 percent above the budget estimate.
- Investment Income** – In the General Fund, investment income fell 87.4 percent from \$3.3 million in FY03 to \$4 million in FY04. Investment income was 95 percent below the budget estimate. The dramatic decline in investment income follows declines in FY01, FY02, and FY03 and is the result of the continuation of an accommodative policy of the Federal Open Market Committee (FOMC) of the Federal Reserve that began in January 2001. Since that time, the FOMC cut the target interest rate for federal funds rate thirteen times from 6.5 percent down to 1 percent by June 2003, and since that time, the rate remained at that level throughout most of FY04. Because of this unprecedented series of rate cuts, other short-term interest rates declined dramatically as well. As a result, the average yield on cash equity for the County decreased from 2.61 percent in FY02 to 1.59 percent in FY03 and 1.13 percent in FY04. Total pooled investment income on a budgetary basis, which includes all funds and outside participants excluding unrealized gains or losses, was \$6.4 million or 42.3 percent below last fiscal year. The decline in revenues without an offsetting decline in spending is reflected in the daily portfolio balance, which decreased from \$696.4 million in FY03 to \$566 million in FY04.

## CAPITAL ASSET AND DEBT ADMINISTRATION

### Capital assets

The County's investment in capital assets as of June 30, 2004, amounted to \$2,572.3 million (net of accumulated depreciation and amortization), as summarized below:

Capital Assets, Net of Depreciation June 30, 2004				
	Governmental Activities	Business-type Activities	Total FY04	Total FY03 *
Land	\$ 485,181,145	\$ 52,777,663	\$ 537,958,808	\$ 521,443,861
Buildings	340,676,593	129,547,298	470,223,891	395,712,521
Improvements other than buildings	23,607,954	18,728,658	42,336,612	41,265,814
Furniture, fixtures, equipment and machinery	127,089,279	6,303,198	133,392,477	122,626,308
Leasehold improvements	6,906,354	-	6,906,354	-
Automobiles and trucks	82,037,061	1,183,562	83,220,623	75,957,681
Infrastructure	1,063,279,269	-	1,063,279,269	1,035,920,382
Other assets	1,212,072	-	1,212,072	4,904,960
Construction in progress	233,804,099	15,382	233,819,481	229,664,172
Total	<u>\$ 2,363,793,826</u>	<u>\$ 208,555,761</u>	<u>\$ 2,572,349,587</u>	<u>\$ 2,427,495,699</u>

\*Certain amounts have been reclassified to conform with the current year presentation.

Changes in the County's capital assets for FY04 are summarized as follows:

Change in Capital Assets For the Fiscal Year Ended June 30, 2004				
	Governmental Activities	Business-type Activities	Total FY04	Total FY03
Beginning Balance	\$ 2,250,576,672	\$ 176,919,027	\$ 2,427,495,699	\$ 2,305,682,041
Additions*	193,623,060	41,647,407	235,270,467	211,913,612
Retirements, net*	8,920,675	565,381	9,486,056	7,063,310
Depreciation expense	71,485,231	9,445,292	80,930,523	83,036,644
Ending Balance	<u>\$ 2,363,793,826</u>	<u>\$ 208,555,761</u>	<u>\$ 2,572,349,587</u>	<u>\$ 2,427,495,699</u>

\* Presented net of transfers from construction in progress;  
retirements are also net of related accumulated depreciation.

Major capital asset events during the current fiscal year include the following:

- In order to provide a multi-disciplinary education and performance center, the County invested an additional \$38 million to add an Arts Education facility and a Concert Hall to the existing Strathmore Hall facility.
- To further support the redevelopment of the Silver Spring Central Business District, the County has entered into a capital lease agreement, as lessee, for two new parking garages, for which costs of \$35.9 million were capitalized during the year.
- Roads, including underlying land, valued at \$17.4 million were transferred to the County by various developers.

- The County contributed an additional \$12.6 million towards the Public Safety 2000 projects, which were placed in service during FY03.
- In order to provide congestion relief and improve safe turning movement onto Montrose Road, as well as reduce neighborhood cut-through traffic in neighborhoods abutting Montrose Road, an additional \$5.9 million was spent to construct the Montrose Parkway West. This will be a new four-lane road from Montrose Road traveling east to 'old' Old Georgetown Road.

Additional information pertaining to the County's capital assets can be found in Notes to Financial Statements.

### Long-Term Debt

The following is a summary of the County's gross outstanding long-term debt as of June 30, 2004:

<b>Long-Term Debt</b>				
<b>June 30, 2004</b>				
	<b>Governmental Activities</b>	<b>Business-type Activities</b>	<b>Total FY04</b>	<b>Total FY03</b>
General obligation bonds	\$ 1,329,669,923	\$ 108,131	\$ 1,329,778,054	\$ 1,288,293,054
Bond anticipation notes	150,000,000	-	150,000,000	125,000,000
Revenue bonds	-	70,915,000	70,915,000	78,680,000
Lease revenue bonds	37,880,000	-	37,880,000	37,880,000
Notes payable *	10,896,091	800,000	11,696,091	5,779,944
Certificates of participation	19,215,000	-	19,215,000	31,570,000
Capital leases	69,173,538	-	69,173,538	31,201,945
Compensated absences	47,765,576	3,597,099	51,362,675	49,134,858
Claims and judgments	5,246,000	-	5,246,000	6,974,000
Landfill closure costs	-	22,458,523	22,458,523	23,854,523
<b>Total</b>	<b>\$ 1,669,846,128</b>	<b>\$ 97,878,753</b>	<b>\$ 1,767,724,881</b>	<b>\$ 1,678,368,324</b>
* Notes payable include equipment notes, State MICRF loan, taxable term loans, HUD loan, and HOC loan.				

At June 30, 2004, the County had outstanding general obligation (GO) bonds of \$1,329.8 million and outstanding bond anticipation notes (BANs) of \$150 million. Over the last ten years, the County issued its GO bonds once a year. The County adopted a policy in 1988 of initially financing capital construction with BANs. Montgomery County also issues bonds to finance the capital construction of MCPS, MCC, and M-NCPPC not otherwise financed by the State of Maryland. Since FY94, the County has issued general obligation bonds, exclusive of refundings, of up to \$160 million. Over the last ten fiscal years, the County's annual issues averaged \$131 million.

The County continues to maintain its status as a top rated issuer of municipal securities, with the highest credit ratings possible for a local government. For its GO bonds, the County is a 'Triple AAA' rated County, and received ratings of Aaa from Moody's Investors Service, Inc., AAA from Standard and Poor's, and AAA from Fitch, Inc. Since April 1973, Montgomery County has consistently had a Aaa rating from Moody's Investors Service, Inc. Since July 1976, bonds issued by the County were rated AAA by Standard and Poor's.

As of June 30, 2004, Montgomery County is one of only seven 'Triple AAA' rated counties in the nation with a population greater than 800,000. According to Standard and Poor's, a deep, diverse, and growing economy; strong financial management; and a low debt burden are the hallmarks of counties rated 'AAA.' The rating category, by definition, represents extremely strong capacity to pay principal and interest. Typically, 'AAA' rated counties



demonstrate an ability to weather all economic cycles by maintaining tight budgetary controls, articulating and executing well-designed capital plans, maintaining sufficient reserves, and planning for future contingencies.

Continuing Disclosure – For purposes of complying with the County’s continuing disclosure undertakings, this Comprehensive Annual Financial Report is provided to each nationally recognized municipal securities information repository and to the state information depository, if any, established for Maryland. Individuals interested in the information to be provided pursuant to such continuing disclosure undertakings should refer to the A Exhibits and Notes to the Financial Statements, as well as Tables 6-8, 11, 12, 19-22, and 24.

Significant bond-related debt activities during FY04 were:

- General Obligation Bonds – This latest installment of the County’s annual issue, for \$154.6 million on March 30, 2004, funds capital expenditures for roads, schools, and government facilities. The proceeds of this bond issue, which included a substantial premium, were used to pay off \$165 million of the County’s BANs. Notable with this sale was that the true interest cost on these bonds was the second-lowest cost of funds in over 30 years.

In July 2003, the County issued GO refunding bonds in the amount of \$49.5 million. Proceeds were used to refund \$51.9 million in GO bonds previously issued at higher rates. This refunding issue resulted in net present value savings to the County of \$4.2 million.

In October 2003, the County initiated a restructuring of the escrow account for its GO refunding bonds, Series 2002. Given favorable market conditions, the County was able to redeem its existing escrow portfolio and use the proceeds to purchase a replacement portfolio and realize net savings of \$640,652.

- Bond Anticipation Notes (BANs) – During FY04, the County issued BANs in the amounts of \$75 million in December and \$115 million in May. The County issues commercial paper to initially fund its capital program and uses GO bond proceeds to retire the commercial paper.

Significant debt activities relating to capital lease agreements during FY04 were:

- Montgomery County Revenue Authority (MCRA) Germantown Indoor Swim Center Project – This issue of \$19.595 million, was sold in March 2004 to fund the Germantown Indoor Swim Center Project. MCRA bonds are lease revenue bonds and are secured by the County’s lease payments to MCRA which are sufficient to pay the debt service on the bonds. During FY04, \$1.6 million in planning and design costs on this project was incurred and is recorded as construction-in-progress.
- MCRA Conference Center Project – This issue was sold in January 2003 to fund, in part, the Conference Center Project in North Bethesda. MCRA lease revenue bonds were sold on the same schedule as the bonds sold by the Maryland Stadium Authority to fund its contribution to the project. During FY04, \$5.2 million in construction costs on this project was incurred and is recorded as construction-in-progress.
- Maryland Economic Development Corp. (MEDCO) Silver Spring Garages – These two issues were sold in September and October of 2002, to fund the construction of the Town Square and Wayne Avenue garages in Silver Spring. The lease revenue bonds were issued by MEDCO and the proceeds are being used to construct the garages. The County will make lease payments to MEDCO sufficient to pay the debt service on the bonds. During FY04, \$36 million in construction costs for the garages was incurred and has been capitalized.

The County also managed various debt transactions during FY04, which were outside the County's typical bonding activity. Below is a brief description.

- Taxable Term Loans – In January and March 2004, the County closed on two five-year taxable term loans; the loan amounts were \$4.0 million and \$1.3 million, respectively. The proceeds were used to finance the purchase of the Kay Property in Germantown and the purchase of various equipment items for the Conference Center.
- Conduit Debt – The Department of Finance administers and manages the County's Economic Development Revenue Bond program. During FY04, the County issued bonds on behalf of three borrowers. In January 2004, the County issued bonds in the amount of \$9.5 million on behalf of The Academy of the Holy Cross. During FY04, only a portion of those bond proceeds (\$8.9 million) was actually lent to Holy Cross to construct classroom space and a new theater. The remaining balance of \$.6 million will be drawn by Holy Cross as needed to complete construction.

In February 2004, the County again issued bonds, this time on behalf of Riderwood Village. The bond proceeds, \$77 million, were lent to Riderwood to refinance taxable debt that was originally used to acquire land and construct the first buildings in Riderwood Village, a retirement community.

Finally in May 2004, the County issued \$30 million in bonds on behalf of the George Meany Center for Labor Studies. The bond proceeds were used, in part, to finance the construction of a new dormitory and additional classroom space.

Additional information pertaining to the County's long-term debt can be found in Notes to Financial Statements.

## **ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES**

The following economic factors are reflected in the County's FY05 budget:

- The County's economic projections in the FY05 budget assume a continued modest recovery in FY05 with the County experiencing low unemployment, but minimal growth in payroll employment.
- Total payroll employment increased only 0.4 percent in CY03, the latest calendar year for which data are available, and which was the lowest growth rate in over ten years. For the first quarter of CY04, total payroll employment also grew only 0.5 percent compared to the same period last year. Because of such weak growth in payroll employment over the past three years, the County estimates a similar low rate of increase in CY05.
- The projection in the FY05 budget assumes that personal income will increase 6.2 percent in FY05. That is above the estimated three-year annual average of 3.6 percent between CY02-CY04. Such an increase is attributed to a recovery in nominal wages and salaries over CY04 rather than a dramatic increase in employment.
- Employment by Montgomery County residents, as opposed to payroll employment, is expected to increase 1.8 percent during CY05. The rate of growth in resident employment is estimated to steadily decline to 0.8 percent by CY10. That estimate is consistent with the steady decline in the estimated growth in County population to 0.8 percent annual rate by CY11.

- Inflation, as measured by the Consumer Price Index, is expected to increase 2.7 percent in FY05, which is the same rate as in FY04. Because of the recent policy directives by the Federal Open Market Committee of the Federal Reserve, the County's economic projections include an increase in the yield on its investments from 1.13 percent in FY04 to 2.15 percent for FY05.

### **REQUESTS FOR INFORMATION**

The financial report is designed to provide a general overview of Montgomery County's finances for all those with an interest in the County's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Montgomery County Government, Department of Finance, 101 Monroe Street, Rockville, Maryland, 20850. This report can also be found on the County's website, <http://www.montgomerycountymd.gov> (see Services (A-Z), Finance, Financial Reports).

*(This page has been left blank intentionally.)*

## **BASIC FINANCIAL STATEMENTS**

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF NET ASSETS  
JUNE 30, 2004  
Exhibit A-1

	Primary Government			Component
	Governmental	Business-type	Total	Units
	Activities	Activities		Total
<b>ASSETS</b>				
Equity in pooled cash and investments	\$ 342,081,590	\$ 94,849,452	\$ 436,931,042	\$ 53,106,412
Cash	184,715	37,225	221,940	6,524,665
Cash with fiscal agents	37,589,508	-	37,589,508	14,114,865
Investments-cash equivalents	-	-	-	96,398,079
Investments	6,548,890	-	6,548,890	2,924,602
Receivables (net of allowances for uncollectibles):				
Income taxes	239,492,075	-	239,492,075	-
Property taxes	39,416,727	1,271,087	40,687,814	-
Capital leases	37,880,000	-	37,880,000	24,180,415
Accounts	32,978,811	5,786,247	38,765,058	19,269,863
Special assessments	69,403	-	69,403	-
Notes	4,332,059	-	4,332,059	731,768
Parking violations	627,573	1,938,397	2,565,970	-
Mortgages	82,055,041	-	82,055,041	219,338,739
Interest	105,227	-	105,227	3,755,160
Other	69,950	-	69,950	5,798,781
Net internal balance	2,415,273	(2,415,273)	-	-
Due from primary government	-	-	-	31,243,408
Due from component units	50,441,183	584,431	51,025,614	-
Due from other governments	97,924,398	337,224	98,261,622	27,375,820
Inventory of supplies	6,855,849	27,766,796	34,622,645	10,457,330
Prepays	1,779,203	542,299	2,321,502	2,077,244
Deferred charges	3,620,653	1,156,019	4,776,672	939,174
Other assets	-	96,629	96,629	27,826,566
Restricted assets:				
Equity in pooled cash and investments	-	37,923,414	37,923,414	12,096,443
Cash	-	-	-	108,025
Cash with fiscal agents	-	-	-	5,768,809
Investments-cash equivalents	-	-	-	97,989,738
Investments	-	3,123,233	3,123,233	200,707,154
Capital assets:				
Nondepreciable assets	718,985,244	52,793,045	771,778,289	303,327,462
Depreciable assets, net	1,644,808,582	155,762,716	1,800,571,298	1,554,113,622
Total Assets	<u>\$ 3,350,261,954</u>	<u>\$ 381,552,941</u>	<u>\$ 3,731,814,895</u>	<u>\$ 2,720,174,144</u>

(Continued)

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF NET ASSETS, CONCLUDED  
JUNE 30, 2004  
Exhibit A-1

	Primary Government			Component
	Governmental	Business-type	Total	Units
	Activities	Activities		Total
<b>LIABILITIES</b>				
Accounts payable	\$ 46,804,996	\$ 19,198,752	\$ 66,003,748	\$ 75,053,452
Interest payable	21,911,055	247,386	22,158,441	13,718,923
Retainage payable	14,658,463	278,581	14,937,044	10,311,043
Accrued liabilities	44,865,253	8,875,026	53,740,279	4,409,079
Claims payable	75,676,902	-	75,676,902	20,339,593
Deposits	170,147	301,722	471,869	8,178,254
Due to primary government	-	-	-	51,142,191
Due to component units	30,751,288	492,120	31,243,408	-
Due to other governments	12,548,825	1,283,975	13,832,800	-
Deferred revenue	31,291,720	1,057,284	32,349,004	22,732,098
Other liabilities	-	-	-	9,438,401
Noncurrent liabilities:				
Due within one year	319,512,903	12,924,445	332,437,348	62,456,292
Due in more than one year	1,366,532,292	84,549,744	1,451,082,036	865,966,935
Total Liabilities	<u>1,964,723,844</u>	<u>129,209,035</u>	<u>2,093,932,879</u>	<u>1,143,746,261</u>
<b>NET ASSETS</b>				
Invested in capital assets, net of related debt	1,597,253,419	137,937,194	1,735,190,613	1,507,625,180
Restricted for:				
Capital projects	56,790,594	-	56,790,594	4,371,962
Nonexpendable permanent fund - housing	7,106,577	-	7,106,577	-
General government	116,031,551	-	116,031,551	-
Public safety	10,123,557	-	10,123,557	-
Public works and transportation	5,488,333	91,478,147	96,966,480	-
Recreation	7,376,517	-	7,376,517	-
Community development and housing	84,004,208	-	84,004,208	-
Environment	1,544,147	-	1,544,147	-
Debt service	209,738	-	209,738	44,296,332
Other purposes	-	-	-	17,889,573
Unrestricted (deficit)	(500,390,531)	22,928,565	(477,461,966)	2,244,836
Total Net Assets	<u>\$ 1,385,538,110</u>	<u>\$ 252,343,906</u>	<u>\$ 1,637,882,016</u>	<u>\$ 1,576,427,883</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF ACTIVITIES  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-2**

Functions	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
<b>Primary Government:</b>				
Governmental Activities:				
General government	\$ 211,957,281	\$ 38,997,961	\$ 9,867,856	\$ 1,573,901
Public safety	373,518,674	18,515,962	32,536,979	5,249,230
Public works and transportation	175,276,975	16,615,039	49,346,739	17,683,939
Health and human services	210,481,464	3,225,931	113,039,923	-
Culture and recreation	79,110,368	20,823,203	3,814,833	31,230,991
Community development and housing	19,970,947	8,014	4,095,431	7,321,863
Environment	8,310,848	2,973,085	14,056	1,956,845
Education	1,322,003,030	-	-	-
Interest on long-term debt	69,895,441	-	-	-
Total Governmental Activities	<u>2,470,525,028</u>	<u>101,159,195</u>	<u>212,715,817</u>	<u>65,016,769</u>
Business-type Activities:				
Liquor control	144,912,612	168,250,661	-	-
Solid waste activities	97,987,992	97,428,833	51,952	-
Parking lot districts	19,370,927	21,065,475	-	-
Permitting services	19,970,101	24,005,994	-	-
Community use of public facilities	5,918,985	6,161,170	-	-
Total Business-type Activities	<u>288,160,617</u>	<u>316,912,133</u>	<u>51,952</u>	<u>-</u>
Total Primary Government	<u>\$ 2,758,685,645</u>	<u>\$ 418,071,328</u>	<u>\$ 212,767,769</u>	<u>\$ 65,016,769</u>
<b>Component Units:</b>				
General government (BUPI)	\$ 2,798,202	\$ 2,659,247	\$ 216,795	\$ -
Culture and recreation (MCRA)	11,271,067	9,934,954	-	-
Community development and housing (HOC)	173,217,265	80,786,223	80,406,035	3,888,071
Education:				
Elementary and secondary education (MCPS)	1,665,124,074	30,358,686	88,449,256	51,045,217
Higher education (MCC)	174,472,198	59,092,427	17,523,286	40,707
Total Component Units	<u>\$ 2,026,882,806</u>	<u>\$ 182,831,537</u>	<u>\$ 186,595,372</u>	<u>\$ 54,973,995</u>
General Revenues:				
Property taxes				
County income taxes				
Real property transfer taxes				
Recordation taxes				
Fuel energy taxes				
Hotel-motel taxes				
Telephone taxes				
Other taxes				
Grants and contributions not restricted to specific programs				
Investment income				
Gain on sale of capital assets				
Transfers				
Total General Revenues and Transfers				
Change in Net Assets				
Net Assets - Beginning, as Restated				
Net Assets - Ending				

Notes to Financial Statements are an integral part of this statement.



Net (Expense) Revenue and Changes in Net Assets			
Primary Government			
Governmental Activities	Business-type Activities	Total	Component Units
\$ (161,517,563)	\$ -	\$ (161,517,563)	\$ -
(317,216,503)	-	(317,216,503)	-
(91,631,258)	-	(91,631,258)	-
(94,215,610)	-	(94,215,610)	-
(23,241,341)	-	(23,241,341)	-
(8,545,639)	-	(8,545,639)	-
(3,366,862)	-	(3,366,862)	-
(1,322,003,030)	-	(1,322,003,030)	-
(69,895,441)	-	(69,895,441)	-
(2,091,633,247)	-	(2,091,633,247)	-
-	23,338,049	23,338,049	-
-	(507,207)	(507,207)	-
-	1,694,548	1,694,548	-
-	4,035,893	4,035,893	-
-	242,185	242,185	-
-	28,803,468	28,803,468	-
(2,091,633,247)	28,803,468	(2,062,829,779)	-
-	-	-	77,840
-	-	-	(1,336,113)
-	-	-	(8,136,936)
-	-	-	(1,495,270,915)
-	-	-	(97,815,778)
-	-	-	(1,602,481,902)
919,320,985	7,591,413	926,912,398	-
812,975,046	-	812,975,046	-
108,270,290	-	108,270,290	-
110,810,439	-	110,810,439	-
74,594,014	-	74,594,014	-
12,695,573	-	12,695,573	-
26,927,301	-	26,927,301	-
15,748,274	-	15,748,274	-
-	-	-	1,638,906,942
23,243,889	1,821,746	25,065,635	4,295,224
-	2,528,262	2,528,262	1,457,504
(2,987,331)	2,987,331	-	-
2,101,598,480	14,928,752	2,116,527,232	1,644,659,670
9,965,233	43,732,220	53,697,453	42,177,768
1,375,572,877	208,611,686	1,584,184,563	1,534,250,115
\$ 1,385,538,110	\$ 252,343,906	\$ 1,637,882,016	\$ 1,576,427,883

MONTGOMERY COUNTY, MARYLAND  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JUNE 30, 2004  
**Exhibit A-3**

	General	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
<b>ASSETS</b>					
Equity in pooled cash and investments	\$ 40,638,732	\$ 883,052	\$ 86,342,330	\$ 143,886,383	\$ 271,750,497
Cash with fiscal agents	-	30,668,797	6,920,711	-	37,589,508
Cash	152,490	-	-	31,925	184,415
Investments	-	-	-	6,548,890	6,548,890
Receivables (net of allowances for uncollectibles):					
Income taxes	239,492,075	-	-	-	239,492,075
Capital leases	-	37,880,000	-	-	37,880,000
Property taxes	32,220,479	-	-	7,196,248	39,416,727
Accounts	27,436,141	5,646	820,475	3,649,857	31,912,119
Special assessments	-	69,403	-	-	69,403
Notes	-	-	18,900	4,298,120	4,317,020
Parking violations	627,573	-	-	-	627,573
Mortgages	204,897	-	-	81,850,144	82,055,041
Interest	-	-	-	105,227	105,227
Other	-	-	2,734	66,208	68,942
Due from other funds	89,710,213	-	-	1,782,217	91,492,430
Due from component units	5,278,561	-	18,768,031	26,047,825	50,094,417
Due from other governments	23,471,183	-	35,668,408	38,726,487	97,866,078
Inventory of supplies	3,336,062	-	1,047,979	-	4,384,041
Prepays	628,824	-	152,689	465,910	1,247,423
Total Assets	<u>\$ 463,197,230</u>	<u>\$ 69,506,898</u>	<u>\$ 149,742,257</u>	<u>\$ 314,655,441</u>	<u>\$ 997,101,826</u>
<b>LIABILITIES AND FUND BALANCES</b>					
Liabilities:					
Accounts payable	\$ 15,165,175	\$ 217,124	\$ 15,339,803	\$ 11,850,259	\$ 42,572,361
Retainage payable	20,100	-	14,638,363	-	14,658,463
Accrued liabilities	30,053,877	-	533,473	7,231,513	37,818,863
Deposits	-	-	-	170,147	170,147
Due to other funds	5,866,335	30,662,609	50,945,480	11,897,621	99,372,045
Due to component units	26,024,259	-	1,849,817	2,851,429	30,725,505
Due to other governments	1,160,602	-	2,343,454	9,011,151	12,515,207
Deferred revenue	225,970,686	38,417,427	7,301,273	41,993,301	313,682,687
Total Liabilities	<u>304,261,034</u>	<u>69,297,160</u>	<u>92,951,663</u>	<u>85,005,421</u>	<u>551,515,278</u>
Fund balances:					
Reserved for:					
Encumbrances	13,840,682	209,738	88,550,672	10,562,911	113,164,003
Legal debt restrictions	-	-	4,551,991	-	4,551,991
Long-term receivables	-	-	14,839,401	79,316,842	94,156,243
Inventory and prepaids	3,964,886	-	1,200,668	459,948	5,625,502
Fire-Rescue Grant	-	-	-	1,410,346	1,410,346
Donor-specified purposes	-	-	-	1,164,750	1,164,750
Other purposes	2,024,870	-	-	7,106,577	9,131,447
Total Reserved	<u>19,830,438</u>	<u>209,738</u>	<u>109,142,732</u>	<u>100,021,374</u>	<u>229,204,282</u>
Unreserved:					
Designated, reported in:					
General Fund	112,378,712	-	-	-	112,378,712
Special Revenue Funds	-	-	-	23,125,570	23,125,570
Undesignated (deficit), reported in:					
General Fund	26,727,046	-	-	-	26,727,046
Capital Projects Fund	-	-	(52,352,138)	-	(52,352,138)
Special Revenue Funds	-	-	-	106,503,076	106,503,076
Total Unreserved	<u>139,105,758</u>	<u>-</u>	<u>(52,352,138)</u>	<u>129,628,646</u>	<u>216,382,266</u>
Total Fund Balances	<u>158,936,196</u>	<u>209,738</u>	<u>56,790,594</u>	<u>229,650,020</u>	<u>445,586,548</u>
Total Liabilities and Fund Balances	<u>\$ 463,197,230</u>	<u>\$ 69,506,898</u>	<u>\$ 149,742,257</u>	<u>\$ 314,655,441</u>	<u>\$ 997,101,826</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF NET ASSETS  
JUNE 30, 2004  
**Exhibit A-4**

Total fund balance - governmental funds (see Exhibit A-3)		\$ 445,586,548
Amounts reported for governmental activities in the statement of net assets are different because:		
Capital assets used in governmental fund activities are not financial resources and therefore not reported in the funds:		
Nondepreciable capital assets:		
Land	\$ 485,158,639	
Construction in progress	233,804,099	
Depreciable capital assets:		
Buildings	527,961,378	
Improvements other than buildings	45,521,237	
Furniture, fixtures, equipment and machinery	183,849,249	
Automobiles and trucks	93,932,747	
Infrastructure	1,378,746,354	
Other capital assets	2,079,731	
Total capital assets	2,951,053,434	
Less accumulated depreciation	(615,838,570)	2,335,214,864
Long-term liabilities related to governmental fund activities are not due and payable in the current period and therefore not reported in the funds:		
General obligation bonds payable	(1,329,669,923)	
Bond anticipation notes payable	(150,000,000)	
Lease revenue bonds payable	(37,880,000)	
Certificates of participation	(19,215,000)	
Accrued interest payable	(21,911,055)	
Capital leases payable	(69,173,538)	
Notes payable	(8,346,091)	
Other long-term debt payable	(2,550,000)	
Compensated absences	(46,520,030)	
Claims and judgments	(5,246,000)	(1,690,511,637)
Costs incurred from the issuance of long-term debt are recognized as expenditures in the fund statements, but are deferred in the government-wide statements:		
Unamortized premiums	(32,545,879)	
Deferred amount on refunding	16,346,812	
Deferred issuance costs	3,620,653	(12,578,414)
Internal service funds are used by management to provide certain goods and services to governmental funds. The assets and liabilities of internal service funds are included in the government-wide statement of net assets:		
Assets:		
Current assets	78,490,124	
Capital assets	68,048,911	
Less accumulated depreciation	(39,469,949)	
Liabilities	(83,854,356)	
Cumulative loss for certain activities of internal service funds that is reported with business-type activities	2,157,483	25,372,213
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds:		
Income taxes	168,753,207	
Property taxes	39,168,972	
Intergovernmental revenue	13,944,085	
Other revenue	60,588,272	282,454,536
Net assets of governmental activities (see Exhibit A-1)		<u>\$ 1,385,538,110</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES  
GOVERNMENTAL FUNDS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
Exhibit A-5

	General	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
<b>REVENUES</b>					
Taxes	\$ 1,942,602,947	\$ -	\$ 5,679,916	\$ 181,656,449	\$ 2,129,939,312
Licenses and permits	9,201,123	-	-	1,783,217	10,984,340
Intergovernmental	117,131,716	-	57,113,957	101,831,473	276,077,146
Charges for services	15,060,193	3,745	309,358	34,959,211	50,332,507
Fines and forfeitures	7,404,248	-	-	1,163,516	8,567,764
Investment income (loss)	(1,324,209)	3,668,616	75,991	2,591,972	5,012,370
Miscellaneous	7,695,458	-	2,506,546	1,996,052	12,198,056
Total Revenues	<u>2,097,771,476</u>	<u>3,672,361</u>	<u>65,685,768</u>	<u>325,981,890</u>	<u>2,493,111,495</u>
<b>EXPENDITURES</b>					
Current:					
General government	163,288,984	-	-	11,229,855	174,518,839
Public safety	224,619,261	-	-	131,293,407	355,912,668
Public works and transportation	46,356,308	-	-	85,455,749	131,812,057
Health and human services	160,652,278	-	-	48,366,822	209,019,100
Culture and recreation	38,205,968	-	-	27,833,396	66,039,364
Community development and housing	10,952,037	-	-	5,039,277	15,991,314
Environment	3,221,066	-	-	2,398,369	5,619,435
Education	1,217,639,366	-	-	-	1,217,639,366
Debt Service:					
Principal retirement:					
General obligation bonds	-	110,630,749	-	-	110,630,749
Bond anticipation notes	-	165,000,000	-	-	165,000,000
Other notes	-	285,853	-	-	285,853
Interest:					
General obligation bonds	-	58,842,758	-	-	58,842,758
Bond anticipation notes	-	1,317,433	-	-	1,317,433
Other notes	-	70,788	-	-	70,788
Leases and other obligations	-	24,312,486	-	-	24,312,486
Issuing costs	-	876,054	-	-	876,054
Capital Projects	-	-	298,405,112	-	298,405,112
Total Expenditures	<u>1,864,935,268</u>	<u>361,336,121</u>	<u>298,405,112</u>	<u>311,616,875</u>	<u>2,836,293,376</u>
Excess (Deficiency) of Revenues over (under) Expenditures	<u>232,836,208</u>	<u>(357,663,760)</u>	<u>(232,719,344)</u>	<u>14,365,015</u>	<u>(343,181,881)</u>
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfers in	38,727,410	193,029,881	34,624,946	38,353,070	304,735,307
Transfers (out)	(275,042,216)	(1,083,101)	-	(32,369,870)	(308,495,187)
Sale of property	-	-	4,990,328	2,293,737	7,284,065
Financing under notes and leases payable	35,990,624	-	-	870,000	36,860,624
Payment to refunded bond escrow agent	-	(54,073,409)	-	-	(54,073,409)
Debt Issued:					
General obligation bonds	-	154,600,000	-	-	154,600,000
Premium on general obligation bonds	-	11,106,411	-	-	11,106,411
Bond anticipation notes	-	-	190,000,000	-	190,000,000
General obligation refunding bonds	-	49,505,000	-	-	49,505,000
Premium on general obligation refunding bonds	-	4,788,716	-	-	4,788,716
Notes payable	-	-	5,332,000	-	5,332,000
Capital lease financing	-	-	6,790,969	-	6,790,969
Total Other Financing Sources (Uses)	<u>(200,324,182)</u>	<u>357,873,498</u>	<u>241,738,243</u>	<u>9,146,937</u>	<u>408,434,496</u>
Net Change in Fund Balances	32,512,026	209,738	9,018,899	23,511,952	65,252,615
Fund Balances - Beginning of Year	<u>126,424,170</u>	<u>-</u>	<u>47,771,695</u>	<u>206,138,068</u>	<u>380,333,933</u>
Fund Balances - End of Year	<u>\$ 158,936,196</u>	<u>\$ 209,738</u>	<u>\$ 56,790,594</u>	<u>\$ 229,650,020</u>	<u>\$ 445,586,548</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN  
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-6**

---

Net change in fund balances - total governmental funds (see Exhibit A-5)		\$ 65,252,615
--	--	---------------

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense:

Capital outlay	\$ 167,934,758	
Depreciation expense	<u>(65,711,581)</u>	102,223,177

In the statement of activities, only the gain on the sale of capital assets is reported. However, in the governmental funds all proceeds are reported as financial resources. Thus, the change in net assets differs from the change in fund balance by the cost of capital assets sold.		(8,640,976)
--	--	-------------

Donations of capital assets increase net assets in the statement of activities but do not appear in the governmental funds because they are not financial resources.		17,484,413
--	--	------------

Some revenues will not be collected for several months after the fiscal year ends. As such, these revenues are not considered "available" revenues and are deferred in the governmental funds. Deferred revenues increased (decreased) this year, as follows:

Income taxes	(56,692,841)	
Property taxes	(2,394,458)	
Intergovernmental revenues	(2,312,022)	
Other revenues	<u>11,433,312</u>	(49,966,009)

The issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes current financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities:

Debt issued or incurred:		
General obligation bonds	(165,706,411)	
General obligation refunding bonds	(54,293,716)	
Bond anticipation notes	(190,000,000)	
Capital lease financing	(42,781,593)	
Notes payable	(6,202,000)	
Less issuance costs	876,054	
Principal repayments:		
General obligation bonds	110,630,749	
Bond anticipation notes	165,000,000	
Certificates of participation	12,355,000	
Capital leases	4,810,000	
Notes payable	285,853	
Payment to escrow agent for refunding	<u>54,073,409</u>	(110,952,655)

Some expenses, representing the change in long-term liabilities or assets, reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds:

Accrued interest payable	(2,526,349)	
Compensated absences	(1,915,846)	
Claims and judgments	1,728,000	
Amortization	<u>1,019,371</u>	(1,694,824)

The current year loss for certain activities of internal service funds is reported with governmental activities.		<u>(3,740,508)</u>
--	--	--------------------

Change in net assets of governmental activities (see Exhibit A-2)		<u>\$ 9,965,233</u>
---	--	---------------------

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-7**

	Budget						Variance Positive (Negative)	
	Prior Year Carryover Encumbrances	Current Year	Total Original	Revisions	Final	Actual		
Revenues:								
Taxes:								
Property	\$	-	\$ 726,979,670	\$ 726,979,670	\$ -	\$ 726,979,670	\$ 734,700,963	\$ 7,721,293
Property - penalty and interest	-	-	2,656,070	2,656,070	-	2,656,070	2,253,799	(402,271)
Other	-	-	-	-	-	-	6,716	6,716
Total Property Tax	-	-	729,635,740	729,635,740	-	729,635,740	736,961,478	7,325,738
County income tax	-	-	837,660,000	837,660,000	-	837,660,000	869,667,887	32,007,887
Other Local Taxes:								
Real property transfer	-	-	78,590,000	78,590,000	-	78,590,000	108,270,290	29,680,290
Recordation	-	-	62,550,000	62,550,000	-	62,550,000	110,810,439	48,260,439
Fuel energy	-	-	70,520,000	70,520,000	-	70,520,000	74,594,014	4,074,014
Hotel - motel	-	-	13,510,000	13,510,000	-	13,510,000	12,695,573	(814,427)
Telephone	-	-	30,834,249	30,834,249	-	30,834,249	26,927,301	(3,906,948)
Other	-	-	3,260,000	3,260,000	-	3,260,000	2,675,965	(584,035)
Total Other Local Taxes	-	-	259,264,249	259,264,249	-	259,264,249	335,973,582	76,709,333
Total Taxes	-	-	1,826,559,989	1,826,559,989	-	1,826,559,989	1,942,602,947	116,042,958
Licenses and Permits:								
Business	-	-	4,744,900	4,744,900	-	4,744,900	4,757,567	12,667
Non business	-	-	4,485,830	4,485,830	-	4,485,830	4,443,556	(42,274)
Total Licenses and Permits	-	-	9,230,730	9,230,730	-	9,230,730	9,201,123	(29,607)
Intergovernmental Revenue:								
State Aid and Reimbursements:								
DHR State reimbursement - HB669	-	-	36,972,400	36,972,400	-	36,972,400	35,188,626	(1,783,774)
Highway user revenue	-	-	22,341,990	22,341,990	-	22,341,990	24,704,751	2,362,761
Police protection	-	-	12,705,130	12,705,130	-	12,705,130	12,678,702	(26,428)
Health and human services programs	-	-	6,394,840	6,394,840	-	6,394,840	6,528,513	133,673
Public libraries	-	-	3,744,000	3,744,000	-	3,744,000	3,668,147	(75,853)
911 Emergency	-	-	6,507,430	6,507,430	-	6,507,430	6,268,222	(239,208)
Electric regulation	-	-	2,766,000	2,766,000	-	2,766,000	2,074,165	(691,835)
Other	-	-	2,433,430	2,433,430	1,200,000	3,633,430	3,872,507	239,077
Total State Aid and Reimbursements	-	-	93,865,220	93,865,220	1,200,000	95,065,220	94,983,633	(81,587)
Federal Reimbursements:								
Federal financial participation	-	-	10,992,620	10,992,620	3,223,100	14,215,720	16,111,400	1,895,680
Other	-	-	2,308,360	2,308,360	-	2,308,360	4,616,845	2,308,485
Total Federal Reimbursements	-	-	13,300,980	13,300,980	3,223,100	16,524,080	20,728,245	4,204,165
Other Intergovernmental	-	-	499,420	499,420	100,000	599,420	1,419,838	820,418
Total Intergovernmental Revenue	-	-	107,665,620	107,665,620	4,523,100	112,188,720	117,131,716	4,942,996
Charges for Services:								
General government	-	-	1,578,250	1,578,250	-	1,578,250	1,457,214	(121,036)
Public safety	-	-	11,028,080	11,028,080	1,500,000	12,528,080	10,861,756	(1,666,324)
Health and human services	-	-	1,729,120	1,729,120	-	1,729,120	1,548,820	(180,300)
Culture and recreation	-	-	3,500	3,500	-	3,500	6,858	3,358
Environment	-	-	300,000	300,000	-	300,000	228,967	(71,033)
Public works and transportation	-	-	103,000	103,000	-	103,000	37,538	(65,462)
Total Charges for Services	-	-	14,741,950	14,741,950	1,500,000	16,241,950	14,141,153	(2,100,797)
Fines and Forfeitures	-	-	18,996,070	18,996,070	-	18,996,070	7,404,248	(11,591,822)
Investment Income:								
Pooled investment income	-	-	8,323,000	8,323,000	-	8,323,000	413,830	(7,909,170)
Other interest income	-	-	40,000	40,000	-	40,000	2,758	(37,242)
Total Investment Income	-	-	8,363,000	8,363,000	-	8,363,000	416,588	(7,946,412)
Miscellaneous Revenue:								
Property rentals	-	-	4,187,000	4,187,000	-	4,187,000	5,468,104	1,281,104
Sundry	-	-	4,957,800	4,957,800	88,298	5,046,098	3,477,878	(1,568,220)
Total Miscellaneous Revenues	-	-	9,144,800	9,144,800	88,298	9,233,098	8,945,982	(287,116)
Total Revenues	-	-	1,994,702,159	1,994,702,159	6,111,398	2,000,813,557	2,099,843,757	99,030,200
Expenditures:								
Departments or Offices:								
County Council:								
Personnel costs	-	-	6,184,530	6,184,530	9,500	6,194,030	6,071,820	122,210
Operating	32,651	-	601,200	633,851	(8,459)	625,392	516,855	108,537
Totals	32,651	-	6,785,730	6,818,381	1,041	6,819,422	6,588,675	230,747
Board of Appeals:								
Personnel costs	-	-	455,150	455,150	(44,610)	410,540	393,823	16,717
Operating	-	-	66,780	66,780	(6,670)	60,110	57,168	2,942
Totals	-	-	521,930	521,930	(51,280)	470,650	450,991	19,659
Legislative Oversight:								
Personnel costs	-	-	668,840	668,840	(37,600)	631,240	631,231	9
Operating	15,977	-	50,250	66,227	(6,035)	60,192	42,710	17,482
Totals	15,977	-	719,090	735,067	(43,635)	691,432	673,941	17,491
Merit System Protection Board:								
Personnel costs	-	-	104,080	104,080	180	104,260	104,255	5
Operating	-	-	13,770	13,770	(180)	13,590	8,120	5,470
Totals	-	-	117,850	117,850	-	117,850	112,375	5,475

(Continued)

MONTGOMERY COUNTY, MARYLAND  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL, CONTINUED  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
Exhibit A-7

	Budget						Variance Positive (Negative)
	Prior Year Carryover Encumbrances	Current Year	Total Original	Revisions	Final	Actual	
Zoning and Administrative Hearings:							
Personnel costs	\$ -	\$ 378,640	\$ 378,640	\$ -	\$ 378,640	\$ 334,004	\$ 44,636
Operating	-	87,670	87,670	-	87,670	85,968	1,702
Totals	-	466,310	466,310	-	466,310	419,972	46,338
Inspector General:							
Personnel costs	-	427,270	427,270	13,690	440,960	440,954	6
Operating	-	35,870	35,870	(3,580)	32,290	14,227	18,063
Totals	-	463,140	463,140	10,110	473,250	455,181	18,069
People's Counsel:							
Personnel costs	-	188,180	188,180	-	188,180	179,555	8,625
Operating	-	25,230	25,230	-	25,230	7,699	17,531
Totals	-	213,410	213,410	-	213,410	187,254	26,156
Circuit Court:							
Personnel costs	-	6,133,780	6,133,780	(162,720)	5,971,060	5,971,060	-
Operating	63,020	1,840,820	1,903,840	97,498	2,001,338	2,001,328	10
Totals	63,020	7,974,600	8,037,620	(65,222)	7,972,398	7,972,388	10
State's Attorney:							
Personnel costs	-	8,372,640	8,372,640	193,301	8,565,941	8,565,932	9
Operating	-	271,390	271,390	238,970	510,360	510,356	4
Totals	-	8,644,030	8,644,030	432,271	9,076,301	9,076,288	13
County Executive:							
Personnel costs	-	3,808,370	3,808,370	(182,564)	3,625,806	3,625,803	3
Operating	392	277,110	277,502	(27,967)	249,535	240,423	9,112
Totals	392	4,085,480	4,085,872	(210,531)	3,875,341	3,866,226	9,115
Commission for Women:							
Personnel costs	-	756,350	756,350	24,190	780,540	780,535	5
Operating	435	116,350	116,785	(11,630)	105,155	87,340	17,815
Totals	435	872,700	873,135	12,560	885,695	867,875	17,820
Regional Service Centers:							
Personnel costs	-	2,400,310	2,400,310	68,210	2,468,520	2,468,513	7
Operating	116,520	466,350	582,870	(47,489)	535,381	508,520	26,861
Totals	116,520	2,866,660	2,983,180	20,721	3,003,901	2,977,033	26,868
Ethics Commission:							
Personnel costs	-	166,090	166,090	(13,840)	152,250	135,973	16,277
Operating	711	22,250	22,961	13,129	36,090	36,083	7
Totals	711	188,340	189,051	(711)	188,340	172,056	16,284
Intergovernmental Relations:							
Personnel costs	-	430,250	430,250	33,540	463,790	463,786	4
Operating	3,757	155,860	159,617	(4,540)	155,077	155,070	7
Capital outlay	18,358	-	18,358	-	18,358	-	18,358
Totals	22,115	586,110	608,225	29,000	637,225	618,856	18,369
Board of Liquor License Commissioners:							
Personnel costs	-	780,470	780,470	(970)	779,500	735,887	43,613
Operating	-	112,090	112,090	2,230	114,320	114,311	9
Totals	-	892,560	892,560	1,260	893,820	850,198	43,622
Public Information:							
Personnel costs	-	1,067,110	1,067,110	(14,530)	1,052,580	1,052,575	5
Operating	19,645	61,450	81,095	87,335	168,430	168,430	-
Totals	19,645	1,128,560	1,148,205	72,805	1,221,010	1,221,005	5
Board of Elections:							
Personnel costs	-	1,794,980	1,794,980	306,490	2,101,470	2,101,465	5
Operating	3,050	2,292,540	2,295,590	(230,039)	2,065,551	2,045,328	20,223
Totals	3,050	4,087,520	4,090,570	76,451	4,167,021	4,146,793	20,228
County Attorney:							
Personnel costs	-	4,057,360	4,057,360	(268,170)	3,789,190	3,789,184	6
Operating	70,417	378,950	449,367	438,000	887,367	887,361	6
Totals	70,417	4,436,310	4,506,727	169,830	4,676,557	4,676,545	12
Management and Budget:							
Personnel costs	-	3,053,820	3,053,820	39,820	3,093,640	3,093,632	8
Operating	1,258	216,540	217,798	(22,611)	195,187	165,793	29,394
Capital outlay	-	-	-	6,551	6,551	-	-
Total Management and Budget	1,258	3,270,360	3,271,618	23,760	3,295,378	3,265,976	29,402
Finance:							
Personnel costs	-	7,015,010	7,015,010	(169,640)	6,845,370	6,845,365	5
Operating	291,431	959,910	1,251,341	(46,857)	1,204,484	1,047,600	156,884
Totals	291,431	7,974,920	8,266,351	(216,497)	8,049,854	7,892,965	156,889
Human Resources:							
Personnel costs	-	4,406,370	4,406,370	7,030	4,413,400	4,413,393	7
Operating	104,431	1,985,400	2,089,831	(195,047)	1,894,784	1,894,784	-
Totals	104,431	6,391,770	6,496,201	(188,017)	6,308,184	6,308,177	7
Technology Services:							
Personnel costs	-	13,225,980	13,225,980	(536,450)	12,689,530	12,689,074	456
Operating	3,823,546	8,324,860	12,148,406	(224,727)	11,923,679	11,922,770	909
Capital outlay	755	184,950	185,705	(1,755)	183,950	60,995	122,955
Totals	3,824,301	21,735,790	25,560,091	(762,932)	24,797,159	24,672,839	124,320
Procurement:							
Personnel costs	-	2,259,190	2,259,190	(116,120)	2,143,070	2,143,062	8
Operating	524	135,480	136,004	23,800	159,804	159,795	9
Totals	524	2,394,670	2,395,194	(92,320)	2,302,874	2,302,857	17
Corrections and Rehabilitation:							
Personnel costs	-	37,812,120	37,812,120	3,262,240	41,074,360	41,074,351	9
Operating	309,189	5,899,810	6,208,999	1,999,630	8,208,629	7,503,812	704,817
Totals	309,189	43,711,930	44,021,119	5,261,870	49,282,989	48,578,163	704,826

(Continued)

MONTGOMERY COUNTY, MARYLAND  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL, CONTINUED  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
Exhibit A-7

	Budget						Variance Positive (Negative)
	Prior Year Carryover Encumbrances	Current Year	Total Original	Revisions	Final	Actual	
Human Rights Commission:							
Personnel costs	\$ -	\$ 1,765,273	\$ 1,765,273	\$ (34,280)	\$ 1,730,993	\$ 1,730,990	\$ 3
Operating	444	108,987	109,431	(11,083)	98,348	80,542	17,806
Totals	444	1,874,260	1,874,704	(45,363)	1,829,341	1,811,532	17,809
Police:							
Personnel costs	-	128,524,260	128,524,260	6,222,090	134,746,350	134,746,348	2
Operating	770,934	21,792,410	22,563,344	(771,207)	21,792,137	21,792,133	4
Totals	770,934	150,316,670	151,087,604	5,450,883	156,538,487	156,538,481	6
Sheriff:							
Personnel costs	-	11,631,860	11,631,860	316,500	11,948,360	11,948,356	4
Operating	136,871	1,427,160	1,564,031	(90,429)	1,473,602	1,473,594	8
Totals	136,871	13,059,020	13,195,891	226,071	13,421,962	13,421,950	12
Public Works and Transportation:							
Personnel costs	-	30,077,330	30,077,330	1,917,284	31,994,614	31,994,609	5
Operating	2,474,171	27,620,580	30,094,751	9,851,497	39,946,248	39,946,243	5
Capital outlay	-	-	-	9,106	9,106	9,106	-
Totals	2,474,171	57,697,910	60,172,081	11,777,887	71,949,968	71,949,958	10
Health and Human Services:							
Personnel costs	-	88,077,880	88,077,880	185,430	88,263,310	88,263,301	9
Operating	1,530,807	63,501,750	65,032,557	3,405,803	68,438,360	68,438,358	2
Totals	1,530,807	151,579,630	153,110,437	3,591,233	156,701,670	156,701,659	11
Libraries:							
Personnel costs	-	24,231,090	24,231,090	(400,660)	23,830,430	23,830,426	4
Operating	1,143,526	6,752,460	7,895,986	(265,755)	7,630,231	7,630,225	6
Totals	1,143,526	30,983,550	32,127,076	(666,415)	31,460,661	31,460,651	10
Housing and Community Affairs:							
Personnel costs	-	6,045,820	6,045,820	(144,290)	5,901,530	5,901,528	2
Operating	2,151	762,230	764,381	(77,820)	686,561	670,616	15,945
Totals	2,151	6,808,050	6,810,201	(222,110)	6,588,091	6,572,144	15,947
Economic Development:							
Personnel costs	-	2,941,090	2,941,090	(20,250)	2,920,840	2,920,832	8
Operating	194,441	2,136,200	2,330,641	(137,439)	2,193,202	2,193,193	9
Totals	194,441	5,077,290	5,271,731	(157,689)	5,114,042	5,114,025	17
Environmental Protection:							
Personnel costs	-	2,810,790	2,810,790	9,280	2,820,070	2,820,069	1
Operating	120,413	1,107,070	1,227,483	(145,231)	1,082,252	826,303	255,949
Totals	120,413	3,917,860	4,038,273	(135,951)	3,902,322	3,646,372	255,950
Total Departments	11,249,825	551,844,010	563,093,835	24,299,080	587,392,915	585,571,401	1,821,514
Nondepartmental:							
State retirement contribution - operating	-	733,350	733,350	120	733,470	733,345	125
Retirees group insurance - operating	-	17,763,240	17,763,240	-	17,763,240	17,763,240	-
State positions supplement - personnel	-	218,140	218,140	21,500	239,640	239,632	8
Judges special pension contribution - personnel	-	38,860	38,860	-	38,860	7,132	31,728
Compensation adjustment - personnel	-	445,980	445,980	(310,360)	135,620	128,771	6,849
Compensation adjustment - operating	-	279,500	279,500	106,740	386,240	386,232	8
Municipal tax duplication - operating	-	4,719,920	4,719,920	50,000	4,769,920	4,769,916	4
Tax grants to municipalities - operating	-	28,020	28,020	-	28,020	28,012	8
Rebate - Takoma Park police - operating	-	425,000	425,000	28,810	453,810	453,807	3
Rebate - Takoma Park library - operating	-	84,600	84,600	5,080	89,680	89,674	6
Homeowners' association roadways - operating	-	225,180	225,180	-	225,180	225,180	-
Contribution to risk management - operating	-	8,706,400	8,706,400	(389,000)	8,317,400	8,317,377	23
Support for the arts - operating	2,213,627	586,840	2,800,467	(2)	2,800,465	2,800,464	1
Historical activities - operating	-	304,290	304,290	-	304,290	304,290	-
Conference and Visitors Bureau - operating	81,581	472,850	554,431	(34,685)	519,746	519,745	1
Arts Council - operating	-	1,086,620	1,086,620	-	1,086,620	1,054,019	32,601
Community grants - operating	3,073,947	2,307,130	5,381,077	530,578	5,911,655	5,726,067	185,588
Conference Center	40,000	226,000	266,000	-	266,000	266,000	-
County associations - operating	-	56,520	56,520	-	56,520	56,511	9
Metropolitan Washington C O G - operating	-	660,170	660,170	-	660,170	660,162	8
Public Technology, Inc. - operating	-	27,500	27,500	-	27,500	27,500	-
Independent audit - operating	26,679	282,000	308,679	(19,943)	288,736	288,736	-
Prisoner medical services - operating	-	20,000	20,000	-	20,000	3,946	16,054
Boards, committees and commissions - operating	-	5,000	5,000	-	5,000	3,272	1,728
Charter Review Commission - operating	-	1,500	1,500	-	1,500	667	833
Closing costs assistance - operating	-	137,250	137,250	-	137,250	133,130	4,120
Working families income supplement - operating	-	5,505,000	5,505,000	520,000	6,025,000	6,024,999	1
Information technology initiatives - operating	20,394	-	20,394	(15,000)	5,394	5,394	-
Interagency technology, policy and coordinating committee - operating	24,999	30,000	54,999	(24,369)	30,630	30,629	1
Desktop computer modernization - operating	5,616	4,045,960	4,051,576	(132,051)	3,919,525	3,919,520	5
Utilities - operating	46,423	12,681,670	12,728,093	793,461	13,521,554	13,521,552	2
Total - Nondepartmental	5,533,266	62,104,490	67,637,756	1,130,879	68,768,635	68,488,921	279,714
Total Expenditures	16,783,091	613,948,500	630,731,591	25,429,959	656,161,550	654,060,322	2,101,228
Excess of Revenues over (under) Expenditures	(16,783,091)	1,380,753,659	1,363,970,568	(19,318,561)	1,344,652,007	1,445,783,435	101,131,428

(Continued)



MONTGOMERY COUNTY, MARYLAND  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL, CONCLUDED  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-7**

	Budget						Variance Positive (Negative)	
	Prior Year Carryover Encumbrances	Current Year	Total Original	Revisions	Final	Actual		
Other Financing Sources (Uses):								
Transfers In:								
Special Revenue Funds:								
Fire Tax District	\$	-	\$ 120,750	\$ 120,750	\$ 55,000	\$ 175,750	\$ 175,750	\$ -
Economic Development		-	66,090	66,090	-	66,090	66,090	-
Recreation		-	2,988,100	2,988,100	-	2,988,100	2,988,100	-
Mass Transit		-	4,481,970	4,481,970	-	4,481,970	4,481,970	-
Water Quality Protection		-	83,990	83,990	-	83,990	83,990	-
Urban Districts		-	182,290	182,290	-	182,290	182,290	-
Housing Activities		-	18,550	18,550	-	18,550	18,550	-
Cable TV		-	5,207,000	5,207,000	-	5,207,000	5,207,000	-
Total Special Revenue Funds		-	13,148,740	13,148,740	55,000	13,203,740	13,203,740	-
Enterprise Funds:								
Liquor		-	20,501,030	20,501,030	-	20,501,030	20,501,030	-
Parking Lot Districts		-	371,100	371,100	-	371,100	371,100	-
Solid Waste Activities		-	1,371,240	1,371,240	-	1,371,240	1,371,240	-
Community Use of Public Facilities		-	244,710	244,710	-	244,710	244,710	-
Permitting Services		-	3,954,630	3,954,630	-	3,954,630	3,954,630	-
Total Enterprise Funds		-	26,442,710	26,442,710	-	26,442,710	26,442,710	-
Total Transfers In		-	39,591,450	39,591,450	55,000	39,646,450	39,646,450	-
Component Units:								
Montgomery County Public Schools		-	328,420	328,420	-	328,420	328,420	-
Total Transfers In - Component Units		-	328,420	328,420	-	328,420	328,420	-
Transfers (Out):								
Special Revenue Fund:								
Recreation		-	(1,077,916)	(1,077,916)	-	(1,077,916)	(1,077,916)	-
Urban Districts		-	(1,101,390)	(1,101,390)	-	(1,101,390)	(1,101,390)	-
Mass Transit		-	(998,070)	(998,070)	-	(998,070)	(998,070)	-
Revenue Stabilization		-	-	-	-	-	(8,784,047)	(8,784,047)
Housing Activities		-	(12,394,890)	(12,394,890)	-	(12,394,890)	(12,394,890)	-
Economic Development		-	-	(6,375,000)	(6,375,000)	(6,375,000)	-	-
Grants		-	-	(449,487)	(449,487)	(511,751)	(62,264)	-
Total Special Revenue Funds		-	(15,572,266)	(15,572,266)	(6,824,487)	(22,396,753)	(31,243,064)	(8,846,311)
Internal Service Fund:								
Motor Pool		-	(92,410)	(92,410)	(55,945)	(148,355)	(116,423)	31,932
Total Internal Service Funds		-	(92,410)	(92,410)	(55,945)	(148,355)	(116,423)	31,932
Enterprise Funds:								
Community Use of Public Facilities		-	(122,420)	(122,420)	-	(122,420)	(122,420)	-
Parking Lot Districts	(612,596)	-	(612,596)	-	-	(612,596)	(222,788)	389,808
Solid Waste Activities	-	(1,316,550)	(1,316,550)	-	-	(1,316,550)	(1,316,550)	-
Permitting Services	-	(1,059,660)	(1,059,660)	-	-	(1,059,660)	(1,059,660)	-
Total Enterprise Funds	(612,596)	(2,498,630)	(3,111,226)	-	-	(3,111,226)	(2,721,418)	389,808
Debt Service Fund	-	(182,484,010)	(182,484,010)	(81,756)	-	(182,565,766)	(177,932,595)	4,633,171
Capital Projects Fund	(32,759,313)	(16,416,960)	(49,176,273)	(6,626,719)	-	(55,802,992)	(29,506,722)	26,296,270
Total Transfers (Out)	(33,371,909)	(217,064,276)	(250,436,185)	(13,588,907)	-	(264,025,092)	(241,520,222)	22,504,870
Transfers (Out) - Component Units / Joint Ventures:								
Montgomery County Public Schools - Operating	-	(1,134,454,359)	(1,134,454,359)	-	-	(1,134,454,359)	(1,133,171,738)	1,282,621
Montgomery County Public Schools - Capital	(11,807,114)	(11,314,000)	(23,121,114)	(4,950,000)	-	(28,071,114)	(16,450,530)	11,620,584
Total Montgomery County Public Schools	(11,807,114)	(1,145,768,359)	(1,157,575,473)	(4,950,000)	-	(1,162,525,473)	(1,149,622,268)	12,903,205
Montgomery Community College - Operating	-	(66,171,701)	(66,171,701)	(41,000)	-	(66,212,701)	(66,212,701)	-
Montgomery Community College - Capital	(6,684,787)	(3,585,000)	(10,269,787)	-	-	(10,269,787)	(1,804,397)	8,465,390
Total Montgomery Community College	(6,684,787)	(69,756,701)	(76,441,488)	(41,000)	-	(76,482,488)	(68,017,098)	8,465,390
Housing Opportunities Commission - Operating	-	(4,347,580)	(4,347,580)	-	-	(4,347,580)	(4,284,616)	62,964
Housing Opportunities Commission - Capital	(73,016)	(250,000)	(323,016)	-	-	(323,016)	(323,016)	-
Total Housing Opportunities Commission	(73,016)	(4,597,580)	(4,670,596)	-	-	(4,670,596)	(4,607,632)	62,964
Total Transfers (Out) - Component Units / Joint Ventures	(18,564,917)	(1,220,122,640)	(1,238,687,557)	(4,991,000)	-	(1,243,678,557)	(1,222,246,998)	21,431,559
Total Other Financing Sources (Uses)	(51,936,826)	(1,397,267,046)	(1,449,203,872)	(18,524,907)	-	(1,467,728,779)	(1,423,792,350)	43,936,429
Excess of Revenues and Other Financing Sources over (under) Expenditures & Other Financing Uses								
	(68,719,917)	(16,513,387)	(85,233,304)	(37,843,468)	-	(123,076,772)	21,991,085	145,067,857
Fund Balance - Beginning of Year	68,719,917	57,665,126	126,385,043	(1,571,556)	-	124,813,487	124,813,487	-
Fund Balance - End of Year	\$ -	\$ 41,151,739	\$ 41,151,739	\$ (39,415,024)	\$ -	\$ 1,736,715	\$ 146,804,572	\$ 145,067,857

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF NET ASSETS  
PROPRIETARY FUNDS  
JUNE 30, 2004  
Exhibit A-8

	Business-Type Activities - Enterprise Funds					Governmental Activities - Internal Service Funds
	Liquor	Solid Waste Activities	Parking Lot Districts	Other Enterprise Funds	Totals	
<b>ASSETS</b>						
Current Assets:						
Equity in pooled cash and investments	\$ 5,325,222	\$ 48,642,206	\$ 28,442,464	\$ 12,439,560	\$ 94,849,452	\$ 70,331,093
Cash	34,025	3,000	150	50	37,225	300
Receivables (net of allowances for uncollectibles):						
Property taxes	-	-	1,271,087	-	1,271,087	-
Accounts	2,088,371	3,627,668	394	69,814	5,786,247	1,066,692
Notes	-	-	-	-	-	15,039
Parking violations	-	-	1,938,397	-	1,938,397	-
Due from other funds	-	5,155	-	-	5,155	3,668,326
Due from component units	-	77,488	506,943	-	584,431	346,766
Due from other governments	-	141,482	193,364	2,378	337,224	58,320
Inventory of supplies	27,766,796	-	-	-	27,766,796	2,471,808
Prepays	526,189	3,942	10,766	1,402	542,299	531,780
Other assets	96,629	-	-	-	96,629	-
Total Current Assets	35,837,232	52,500,941	32,363,565	12,513,204	133,214,942	78,490,124
Noncurrent Assets:						
Restricted equity in pooled cash and investments	-	32,479,195	5,444,219	-	37,923,414	-
Restricted investments	-	3,123,233	-	-	3,123,233	-
Restricted Assets	-	35,602,428	5,444,219	-	41,046,647	-
Unamortized bond costs	-	534,330	621,689	-	1,156,019	-
Capital Assets:						
Land, improved and unimproved	481,430	17,834,755	34,461,478	-	52,777,663	22,506
Improvements other than buildings	-	72,236,219	36,461,445	-	108,697,664	268,565
Buildings	7,388,354	23,515,099	163,684,772	-	194,588,225	315,732
Furniture, fixtures, equipment, and machinery	5,276,854	8,896,348	224,879	3,582,336	17,980,417	4,207,674
Automobiles and trucks	3,048,041	441,280	91,763	84,837	3,665,921	63,234,434
Construction in progress	-	-	15,382	-	15,382	-
Subtotal	16,194,679	122,923,701	234,939,719	3,667,173	377,725,272	68,048,911
Less: Accumulated depreciation	9,502,900	89,041,108	67,180,718	3,444,785	169,169,511	39,469,949
Total Capital Assets (net of accumulated depreciation)	6,691,779	33,882,593	167,759,001	222,388	208,555,761	28,578,962
Total Noncurrent Assets	6,691,779	70,019,351	173,824,909	222,388	250,758,427	28,578,962
Total Assets	42,529,011	122,520,292	206,188,474	12,735,592	383,973,369	107,069,086
<b>LIABILITIES</b>						
Current Liabilities:						
Accounts payable	9,930,465	7,604,466	1,448,364	215,457	19,198,752	4,232,635
Interest payable	-	106,204	141,182	-	247,386	-
Retainage payable	-	68,422	210,159	-	278,581	-
Deposits	301,722	-	-	-	301,722	-
Claims payable	-	-	-	-	-	75,676,902
Accrued liabilities	1,625,857	917,409	306,587	8,430,750	11,280,603	2,958,836
Due to other funds	202,634	79,309	28,123	245,128	555,194	551,626
Due to component units	-	-	-	492,120	492,120	25,783
Due to other governments	441,385	842,590	-	-	1,283,975	33,618
Deferred revenue	-	-	383,828	673,456	1,057,284	63,569
General obligation bonds payable	-	51,619	-	-	51,619	-
Revenue bonds payable	-	2,835,000	5,425,000	-	8,260,000	-
Landfill closure costs	-	1,115,000	-	-	1,115,000	-
Notes payable	-	800,000	-	-	800,000	-
Total Current Liabilities	12,502,063	14,420,019	7,943,243	10,056,911	44,922,236	83,542,969
Noncurrent Liabilities:						
General obligation bonds payable	-	56,512	-	-	56,512	-
Revenue bonds payable	-	25,568,704	36,681,732	-	62,250,436	-
Landfill closure costs	-	21,343,523	-	-	21,343,523	-
Compensated absences	338,415	137,339	56,520	366,999	899,273	311,387
Total Noncurrent Liabilities	338,415	47,106,078	36,738,252	366,999	84,549,744	311,387
Total Liabilities	12,840,478	61,526,097	44,681,495	10,423,910	129,471,980	83,854,356
<b>NET ASSETS</b>						
Invested in capital, net of related debt	6,691,779	5,370,758	125,652,269	222,388	137,937,194	28,578,962
Restricted for debt service	-	35,602,428	5,444,219	-	41,046,647	-
Unrestricted	22,996,754	20,021,009	30,410,491	2,089,294	75,517,548	(5,364,232)
Total net assets	\$ 29,688,533	\$ 60,994,195	\$ 161,506,979	\$ 2,311,682	254,501,389	\$ 23,214,730
Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds					(2,157,483)	
Net assets of business-type activities					\$ 252,343,906	

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS  
PROPRIETARY FUNDS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
Exhibit A-9

	Business-Type Activities - Enterprise Funds					Governmental Activities - Internal Service Funds
	Liquor	Solid Waste Activities	Parking Lot Districts	Other Enterprise Funds	Totals	
<b>OPERATING REVENUES</b>						
Sales - net	\$ 168,172,236	\$ -	\$ -	\$ -	\$ 168,172,236	\$ -
Charges for services	15,450	97,313,509	13,559,833	8,262,507	119,151,299	176,712,536
Licenses and permits	-	10,055	-	21,782,937	21,792,992	-
Fines and penalties	-	7,575	6,809,460	121,720	6,938,755	-
Claim recoveries	-	-	-	-	-	1,287,780
Total Operating Revenues	<u>168,187,686</u>	<u>97,331,139</u>	<u>20,369,293</u>	<u>30,167,164</u>	<u>316,055,282</u>	<u>178,000,316</u>
<b>OPERATING EXPENSES</b>						
Cost of goods sold	119,806,903	-	-	-	119,806,903	-
Personnel costs	16,124,278	8,781,096	2,525,439	17,881,076	45,311,889	16,069,048
Postage	48,439	82,747	2,267	45,104	178,557	1,372,116
Self-insurance incurred and estimated claims	-	-	-	-	-	99,397,642
Insurance	556,370	747,560	61,650	9,020	1,374,600	28,133,145
Supplies and materials	408,772	1,050,913	329,902	343,211	2,132,798	13,605,329
Contractual services	1,618,990	80,489,736	4,481,208	3,367,165	89,957,099	10,847,000
Communications	329,210	233,484	126,263	351,216	1,040,173	156,096
Transportation	405,564	1,418,822	174,633	449,437	2,448,456	128,086
Public utility service	479,312	83,601	1,076,460	619,939	2,259,312	617,975
Rentals	3,498,288	20,904	1,368,368	1,232,403	6,119,963	373,934
Maintenance	533,165	181,506	1,316,889	1,164,700	3,196,260	7,316,785
Depreciation	657,516	2,850,405	5,710,544	226,827	9,445,292	5,773,650
Landfill closure expense	-	346,000	-	-	346,000	-
Other	355,712	306,694	91,417	142,208	896,031	104,474
Total Operating Expenses	<u>144,822,519</u>	<u>96,593,468</u>	<u>17,265,040</u>	<u>25,832,306</u>	<u>284,513,333</u>	<u>183,895,280</u>
Operating Income (Loss)	<u>23,365,167</u>	<u>737,671</u>	<u>3,104,253</u>	<u>4,334,858</u>	<u>31,541,949</u>	<u>(5,894,964)</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>						
Property taxes	-	-	7,591,413	-	7,591,413	-
Intergovernmental	-	51,952	-	-	51,952	5,187
Gain on disposal of capital assets	84	3,883	2,524,295	-	2,528,262	199,444
Investment income	-	1,236,513	456,688	128,545	1,821,746	1,025,933
Interest expense	-	(1,352,765)	(2,069,912)	-	(3,422,677)	-
Other revenue	62,975	97,694	696,181	-	856,850	699,286
Total Nonoperating Revenues (Expenses)	<u>63,059</u>	<u>37,277</u>	<u>9,198,665</u>	<u>128,545</u>	<u>9,427,546</u>	<u>1,929,850</u>
Nonoperating Income (Loss)	<u>23,428,226</u>	<u>774,948</u>	<u>12,302,918</u>	<u>4,463,403</u>	<u>40,969,495</u>	<u>(3,965,114)</u>
Transfers In (Out):						
Transfers in	-	55,142	36,213,412	30,000	36,298,554	772,549
Transfers out	(20,501,030)	(1,426,382)	(7,181,048)	(4,202,763)	(33,311,223)	-
Total Transfers In (Out)	<u>(20,501,030)</u>	<u>(1,371,240)</u>	<u>29,032,364</u>	<u>(4,172,763)</u>	<u>2,987,331</u>	<u>772,549</u>
Change in Net Assets	2,927,196	(596,292)	41,335,282	290,640	43,956,826	(3,192,565)
Total Net Assets - Beginning of Year	<u>26,761,337</u>	<u>61,590,487</u>	<u>120,171,697</u>	<u>2,021,042</u>		<u>26,407,295</u>
Total Net Assets - End of Year	<u>\$ 29,688,533</u>	<u>\$ 60,994,195</u>	<u>\$ 161,506,979</u>	<u>\$ 2,311,682</u>		<u>\$ 23,214,730</u>
Adjustment to reflect the consolidation of internal service fund activities relating to enterprise funds					(224,606)	
Change in net assets of business-type activities					<u>\$ 43,732,220</u>	

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF CASH FLOWS  
PROPRIETARY FUNDS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-10**

	Business-Type Activities - Enterprise Funds					Governmental Activities - Internal Service Funds
	Liquor	Solid Waste Activities	Parking Lot Districts	Other Enterprise Funds	Totals	
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
Receipts from customers	\$ 171,235,160	\$ 95,095,472	\$ 20,063,727	\$ 29,166,121	\$ 315,560,480	\$ 177,895,752
Payments to suppliers	(133,877,308)	(85,277,691)	(9,783,485)	(7,833,019)	(236,771,503)	(62,180,645)
Payments to employees	(15,839,768)	(8,815,460)	(2,515,094)	(17,654,367)	(44,824,689)	(15,794,209)
Internal activity - payments from other funds	-	1,941,450	-	1,059,660	3,001,110	-
Claims paid	-	-	-	-	-	(89,741,488)
Other revenue	62,975	84,974	696,181	467,137	1,311,267	39,936
Net Cash Provided (Used) by Operating Activities	<u>21,581,059</u>	<u>3,028,745</u>	<u>8,461,329</u>	<u>5,205,532</u>	<u>38,276,665</u>	<u>10,219,346</u>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES</b>						
Property tax collections	-	-	7,582,205	-	7,582,205	-
Operating subsidies and transfers from other funds	-	-	222,788	30,000	252,788	-
Operating subsidies and transfers to other funds	(20,501,030)	(1,371,240)	(7,181,048)	(4,202,763)	(33,256,081)	-
Intergovernmental revenue	-	51,952	-	-	51,952	5,187
Net Cash Provided (Used) by Noncapital Financing Activities	<u>(20,501,030)</u>	<u>(1,319,288)</u>	<u>623,945</u>	<u>(4,172,763)</u>	<u>(25,369,136)</u>	<u>5,187</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>						
Proceeds from sale of capital assets	500	3,883	2,580,000	-	2,584,383	443,285
Purchases of capital assets	(495,136)	(579,692)	(4,514,093)	-	(5,588,921)	(11,269,583)
Repayment of notes receivable	-	-	-	-	-	46,945
Principal paid on capital debt	-	(2,639,251)	(5,210,000)	-	(7,849,251)	-
Interest paid on capital debt	-	(1,479,947)	(1,897,666)	-	(3,377,613)	-
Internal activity - payments from other funds	-	-	-	-	-	772,549
Net Cash Provided (Used) by Capital and Related Financing Activities	<u>(494,636)</u>	<u>(4,695,007)</u>	<u>(9,041,759)</u>	<u>-</u>	<u>(14,231,402)</u>	<u>(10,006,804)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
Investment income from pooled investments	-	1,257,212	456,688	128,545	1,842,445	1,008,685
Investment income from nonpooled investments	-	9,619	-	-	9,619	17,248
Net Cash Provided (Used) by Investing Activities	<u>-</u>	<u>1,266,831</u>	<u>456,688</u>	<u>128,545</u>	<u>1,852,064</u>	<u>1,025,933</u>
Net Increase (Decrease) in Cash and Cash Equivalents	<u>585,393</u>	<u>(1,718,719)</u>	<u>500,203</u>	<u>1,161,314</u>	<u>528,191</u>	<u>1,243,662</u>
Balances - Beginning of Year	<u>4,773,854</u>	<u>82,843,120</u>	<u>33,386,630</u>	<u>11,278,296</u>	<u>132,281,900</u>	<u>69,087,731</u>
Balances - End of Year	<u>\$ 5,359,247</u>	<u>\$ 81,124,401</u>	<u>\$ 33,886,833</u>	<u>\$ 12,439,610</u>	<u>\$ 132,810,091</u>	<u>\$ 70,331,393</u>
<b>Reconciliation of operating income (loss) to net cash provided by operating activities:</b>						
Operating income (loss)	\$ 23,365,167	\$ 737,671	\$ 3,104,253	\$ 4,334,858	\$ 31,541,949	\$ (5,894,964)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:						
Depreciation	657,516	2,850,405	5,710,544	226,827	9,445,292	5,773,650
Other operating expenses	-	454,119	-	-	454,119	-
Other revenue	62,975	84,974	696,181	-	844,130	677,157
Changes in assets and liabilities:						
Receivables, net	209,305	(433,493)	(570,409)	(69,814)	(864,411)	(1,052,423)
Inventories, prepaids and other assets	461,517	385	510	(2,378)	460,034	(612,993)
Accounts payable and other liabilities	(3,394,126)	(612,762)	(483,123)	22,193	(4,467,818)	11,050,023
Accrued expenses	218,705	(52,554)	3,373	693,846	863,370	278,896
Net Cash Provided (Used) by Operating Activities	<u>\$ 21,581,059</u>	<u>\$ 3,028,745</u>	<u>\$ 8,461,329</u>	<u>\$ 5,205,532</u>	<u>\$ 38,276,665</u>	<u>\$ 10,219,346</u>
<b>Noncash investing, capital and financing activities:</b>						
Capital asset donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,129
Capital asset disposals	416	-	-	-	416	(1,455)
Assets acquired through transfers from governmental activities	-	-	35,990,624	-	35,990,624	-

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF FIDUCIARY NET ASSETS  
FIDUCIARY FUNDS  
JUNE 30, 2004  
**Exhibit A-11**

	Pension and Other Employee Benefit Trusts	Investment Trust	Private- Purpose Trusts	Agency Funds
<b>ASSETS</b>				
Current Assets:				
Equity in pooled cash and investments	\$ 1,057,716	\$ 20,657,990	\$ 2,129,949	\$ 45,481,965
Cash	-	-	-	6,658
Investments:				
U.S. Government and agency obligations	224,583,856	-	-	-
Asset-backed securities	25,130,943	-	-	-
Municipal/Provincial bonds	745,819	-	-	-
Corporate bonds	283,610,976	-	-	-
Collateralized mortgage obligations	3,308,835	-	-	-
Commercial mortgage-backed securities	3,214,617	-	-	-
Common and preferred stock	1,319,682,926	-	-	-
Mutual and commingled funds	294,949,917	-	-	-
Short-term investments	96,168,794	-	-	-
Cash collateral received under securities lending agreements	300,257,113	-	-	-
Real estate holdings	3,697,613	-	-	-
Alternative investment	6,563,331	-	-	-
Total investments	2,561,914,740	-	-	-
Receivables:				
Dividends receivable and accrued interest	6,630,325	-	-	-
Property taxes	-	-	-	7,807,971
Accounts	217,817	-	-	83,737
Other	-	-	-	377,013
Due from other funds	5,314,450	-	-	-
Due from component units	116,577	-	-	-
Due from other governments	21,995	-	-	-
Prepays	705	-	11,000	-
Total Current Assets	2,575,274,325	20,657,990	2,140,949	53,757,344
Total Assets	2,575,274,325	20,657,990	2,140,949	\$ 53,757,344
<b>LIABILITIES</b>				
Current Liabilities:				
Accounts payable	302,661,610	-	7,799	25,151
Accrued liabilities	177,709	-	-	-
Deposits	-	-	-	720,134
Due to other funds	1,496	-	-	-
Due to other governments	-	-	-	2,201,237
Uncollected property taxes due to other governments	-	-	-	7,807,971
Undistributed taxes and refunds	-	-	-	14,099,213
Deferred revenue	139,048	-	-	-
Tax sale surplus and redemptions payable	-	-	-	3,777,107
Other liabilities	-	-	-	25,126,531
Total Current Liabilities	302,979,863	-	7,799	53,757,344
Noncurrent Liabilities:				
Compensated absences	43,747	-	-	-
Total Liabilities	303,023,610	-	7,799	\$ 53,757,344
<b>NET ASSETS</b>				
Held in trust for pension benefits, external investment pool participants, and other purposes				
	\$ 2,272,250,715	\$ 20,657,990	\$ 2,133,150	

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF CHANGES IN FIDUCIARY NET ASSETS  
FIDUCIARY FUNDS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-12**

	Pension and Other Employee Benefit Trusts	Investment Trust	Private- Purpose Trusts
<b>ADDITIONS</b>			
Contributions:			
Employers	\$ 68,395,382	\$ -	\$ -
Members	40,580,132	-	388,897
Share purchases	-	14,249,089	-
Total Contributions	<u>108,975,514</u>	<u>14,249,089</u>	<u>388,897</u>
Investment income	331,401,193	203,525	19,623
Less: Investment expenses	<u>8,906,720</u>	<u>-</u>	<u>-</u>
Net Investment Income	<u>322,494,473</u>	<u>203,525</u>	<u>19,623</u>
Other income - forfeitures	<u>210,392</u>	<u>-</u>	<u>-</u>
Total Additions, net	<u>431,680,379</u>	<u>14,452,614</u>	<u>408,520</u>
<b>DEDUCTIONS</b>			
Benefits:			
Annuities:			
Retirees	87,122,662	-	-
Survivors	5,031,935	-	-
Disability	<u>19,491,388</u>	<u>-</u>	<u>-</u>
Total Benefits	<u>111,645,985</u>	<u>-</u>	<u>-</u>
Share redemptions	-	17,866,393	-
Member refunds	11,813,193	-	-
Program expenses	-	-	857,026
Administrative expenses	<u>2,319,106</u>	<u>-</u>	<u>-</u>
Total Deductions	<u>125,778,284</u>	<u>17,866,393</u>	<u>857,026</u>
Net Increase (Decrease)	305,902,095	(3,413,779)	(448,506)
Net Assets - Beginning of Year	<u>1,966,348,620</u>	<u>24,071,769</u>	<u>2,581,656</u>
Net Assets - End of Year	<u>\$ 2,272,250,715</u>	<u>\$ 20,657,990</u>	<u>\$ 2,133,150</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF NET ASSETS  
COMPONENT UNITS  
JUNE 30, 2004  
**Exhibit A-13**

	MCPS	HOC	Nonmajor Component Units	Total
<b>ASSETS</b>				
Equity in pooled cash and investments	\$ 12,323,149	\$ 5,297,641	\$ 35,485,622	\$ 53,106,412
Cash with fiscal agents	329,327	13,785,538	-	14,114,865
Cash	4,254,690	17,065	2,252,910	6,524,665
Investments - cash equivalents	15,597,169	40,450,978	40,349,932	96,398,079
Investments	2,924,602	-	-	2,924,602
Receivables (net of allowances for uncollectibles):				
Capital leases	-	-	24,180,415	24,180,415
Accounts	11,123,047	3,651,548	4,495,268	19,269,863
Notes	-	16,673	715,095	731,768
Mortgages	-	219,338,739	-	219,338,739
Interest	-	3,755,160	-	3,755,160
Other	1,394,747	3,315,150	1,088,884	5,798,781
Due from primary government	27,090,476	2,341,979	1,810,953	31,243,408
Due from other governments	22,398,330	2,350,841	2,626,649	27,375,820
Inventory of supplies	8,459,134	475,131	1,523,065	10,457,330
Prepays	278,633	1,261,262	537,349	2,077,244
Deferred charges	-	-	939,174	939,174
Other assets	-	25,435,000	2,391,566	27,826,566
Restricted Assets:				
Equity in pooled cash and investments	-	12,096,443	-	12,096,443
Cash with fiscal agents	-	5,768,809	-	5,768,809
Cash	-	-	108,025	108,025
Investments - cash equivalents	-	67,562,414	30,427,324	97,989,738
Investments	-	200,707,154	-	200,707,154
Capital assets:				
Nondepreciable assets	161,836,344	80,899,279	60,591,839	303,327,462
Depreciable assets, net	<u>1,127,879,428</u>	<u>277,776,431</u>	<u>148,457,763</u>	<u>1,554,113,622</u>
Total Assets	<u>1,395,889,076</u>	<u>966,303,235</u>	<u>357,981,833</u>	<u>2,720,174,144</u>
<b>LIABILITIES</b>				
Accounts payable	60,905,434	6,369,071	7,778,947	75,053,452
Interest payable	11,624	12,798,381	908,918	13,718,923
Retainage payable	9,616,720	-	694,323	10,311,043
Accrued liabilities	-	3,973,029	436,050	4,409,079
Claims payable	20,339,593	-	-	20,339,593
Deposits	-	8,148,431	29,823	8,178,254
Due to primary government	5,658,876	43,163,968	2,319,347	51,142,191
Deferred revenue	4,315,373	13,888,048	4,528,677	22,732,098
Other liabilities	-	9,398,392	40,009	9,438,401
Noncurrent liabilities:				
Due within one year	20,372,601	37,310,438	4,773,253	62,456,292
Due in more than one year	<u>95,551,129</u>	<u>668,698,048</u>	<u>101,717,758</u>	<u>865,966,935</u>
Total Liabilities	<u>216,771,350</u>	<u>803,747,806</u>	<u>123,227,105</u>	<u>1,143,746,261</u>
<b>NET ASSETS</b>				
Invested in capital assets, net of related debt	1,270,178,058	55,553,904	181,893,218	1,507,625,180
Restricted for:				
Capital projects	-	-	4,371,962	4,371,962
Debt Service	-	40,949,391	3,346,941	44,296,332
Other purposes	106,644	4,040,635	13,742,294	17,889,573
Unrestricted (deficit)	<u>(91,166,976)</u>	<u>62,011,499</u>	<u>31,400,313</u>	<u>2,244,836</u>
Total net assets	<u>\$ 1,179,117,726</u>	<u>\$ 162,555,429</u>	<u>\$ 234,754,728</u>	<u>\$ 1,576,427,883</u>

Notes to Financial Statements are an integral part of this statement.

MONTGOMERY COUNTY, MARYLAND  
STATEMENT OF ACTIVITIES  
COMPONENT UNITS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2004  
**Exhibit A-14**

Functions	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Assets				
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	MCPS	HOC	Nonmajor Component Units	Total	
Component Units:									
General government	\$ 2,798,202	\$ 2,659,247	\$ 216,795	\$ -	\$ -	\$ -	\$ 77,840	\$ 77,840	
Culture and recreation	11,271,067	9,934,954	-	-	-	-	(1,336,113)	(1,336,113)	
Community development and housing	173,217,265	80,786,223	80,406,035	3,888,071	-	(8,136,936)	-	(8,136,936)	
Education:									
Secondary education	1,665,124,074	30,358,686	88,449,256	51,045,217	(1,495,270,915)	-	-	(1,495,270,915)	
Higher education	174,472,198	59,092,427	17,523,286	40,707	-	-	(97,815,778)	(97,815,778)	
Total component units	<u>\$ 2,026,882,806</u>	<u>\$ 182,831,537</u>	<u>\$ 186,595,372</u>	<u>\$ 54,973,995</u>	<u>(1,495,270,915)</u>	<u>(8,136,936)</u>	<u>(99,074,051)</u>	<u>(1,602,481,902)</u>	
General revenues:									
Grants and contributions not restricted to specific programs					1,524,789,151	-	114,117,791	1,638,906,942	
Investment income					174,387	956,522	3,164,315	4,295,224	
Gain on sale of capital assets					-	-	1,457,504	1,457,504	
Total general revenues					<u>1,524,963,538</u>	<u>956,522</u>	<u>118,739,610</u>	<u>1,644,659,670</u>	
Change in net assets					<u>29,692,623</u>	<u>(7,180,414)</u>	<u>19,665,559</u>	<u>42,177,768</u>	
Net assets - beginning, as restated					<u>1,149,425,103</u>	<u>169,735,843</u>	<u>215,089,169</u>	<u>1,534,250,115</u>	
Net assets - ending					<u>\$ 1,179,117,726</u>	<u>\$ 162,555,429</u>	<u>\$ 234,754,728</u>	<u>\$ 1,576,427,883</u>	

Notes to Financial Statements are an integral part of this statement.



MONTGOMERY COUNTY, MARYLAND

**NOTES TO FINANCIAL STATEMENTS**

JUNE 30, 2004

**NOTE I – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

- A      REPORTING ENTITY
- B      GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS
- C      MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL  
         STATEMENT PRESENTATION
- D      ASSETS, LIABILITIES, AND NET ASSETS OR EQUITY

**NOTE II – STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

- A      BUDGETARY INFORMATION
- B      DEFICIT FUND EQUITY

**NOTE III – DETAILED NOTES ON ALL FUNDS**

- A      CASH AND INVESTMENTS
- B      RECEIVABLES
- C      CAPITAL ASSETS
- D      INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS
- E      LEASES
- F      LONG-TERM DEBT
- G      SEGMENT INFORMATION
- H      FUND EQUITY
- I      SIGNIFICANT TRANSACTIONS WITH DISCRETELY PRESENTED  
         COMPONENT UNITS

**NOTE IV – OTHER INFORMATION**

- A      RISK MANAGEMENT
- B      SIGNIFICANT COMMITMENTS AND CONTINGENCIES
- C      SUBSEQUENT EVENTS
- D      JOINT VENTURES
- E      EMPLOYEE BENEFITS
- F      PENSION PLAN OBLIGATIONS

## NOTE I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies of the County conform to accounting principles generally accepted in the United States of America (GAAP) applicable to local government entities. The following is a summary of significant policies:

### A) **Reporting Entity**

#### **Background**

Montgomery County, Maryland (County) is a charter government under the constitution and general laws of the State of Maryland (State). The charter provides for separate legislative and executive branches with legislative responsibility vested in an elected nine-member county council and executive responsibility vested in an elected county executive. The County provides its citizens with services in areas of general government, public safety, public works and transportation, health and human services, education, culture and recreation, community development and housing, and environment.

As required by GAAP, these financial statements present the primary government and its component units, which are entities for which the primary government is considered financially accountable. The Montgomery County, Maryland, reporting entity is determined by criteria established by the Governmental Accounting Standards Board (GASB). The judgment to include or exclude activities is dependent on evaluation of the GASB criteria. Various departments and agencies governed directly by the County Executive and the County Council of Montgomery County are included in the reporting entity as the primary government and are referred to hereafter as the Primary Government. The component units (as discussed below) are included in the reporting entity because the Primary Government approves the budget requests, provides a significant amount of funding for each of these units, and/or appoints the governing boards.

#### **Discretely Presented Component Units**

The financial data of the County's component units are discretely presented in a column separate from the financial data of the primary government, to emphasize that the component units are legally separate from the Primary Government. Financial information regarding the component units is included in the component units combining statements. The following are the County's component units, each of which has a June 30 fiscal year-end:

Montgomery County Public Schools (MCPS) provides public education in kindergarten through twelfth grade to children residing within Montgomery County. Members of the Board of Education are elected by the voters. (One nonvoting student member is elected by secondary students.) However, MCPS is fiscally dependent upon the Primary Government because the Primary Government approves the budget, levies taxes to provide the majority of the fiscal support, and issues debt for construction of school facilities.

Montgomery Community College (MCC) provides educational services to County citizens by offering two-year associate degrees and a continuing education program. MCC is responsible for post secondary education within the government's jurisdiction. The Montgomery County Board of Community College trustees is the governing authority. The State Governor appoints the trustees from a list of candidates supplied by a nominating committee. The nominating committee is controlled by the County Executive and the County Council. Therefore, essentially the Primary Government and the State Governor must agree upon the trustees to serve on the College's Governing Board. In addition, the County Council reviews and approves both the operating and capital budgets and budgetary amendments of MCC. The Primary

Government contributes substantial funding for both the operating and capital budgets, as well as issues debt for the construction of college facilities.

Montgomery County Revenue Authority (MCRA) is governed by a five-member Board of Directors. All members are appointed by the County Executive subject to the confirmation of the County Council. The County Council approves the capital budget of MCRA. MCRA approves its own operating budget. MCRA is an instrumentality of the Primary Government for the purpose of constructing, improving, and maintaining self-sustaining projects devoted to public use, good or welfare.

Housing Opportunities Commission of Montgomery County (HOC) is governed by seven commissioners who are appointed by the County Executive with the approval of the County Council. In addition, the County Council provides for a subsidy to the operating budget of HOC and guarantees a relatively small portion of its debt (up to \$50,000,000). The HOC operating budget approval occurs on a project basis, with the County Council having authority to approve project budgets that include County funding. HOC presents its proposed budget to the Council for review and comment only, as required by Article 44A, Section 2 of the Annotated Code of Maryland. Even though there is a large dependence on the U.S. Department of Housing and Urban Development (HUD), HOC has sufficient financial accountability to the Primary Government to be included as a component unit.

Bethesda Urban Partnership, Inc (BUPI) has its entire eleven-member Board of Directors appointed by the County Executive with the approval of the County Council. The primary purpose of BUPI, a not-for-profit corporation, is to execute service contracts for the benefit of one of the Primary Government's special taxing districts (Bethesda Urban District). Substantially all of BUPI's funding is granted through the Primary Government's operating budget. The County Council annually approves the BUPI operating budget and is able to modify it in a manner similar to the way Primary Government agency budgets are modified.

Complete financial statements can be obtained at the component units' administrative offices listed below:

Montgomery County Public Schools 850 Hungerford Drive Rockville, MD 20850	Montgomery Community College 900 Hungerford Drive Rockville, MD 20850	Montgomery County Revenue Authority 101 Monroe Street, 4 <sup>th</sup> Floor Rockville, MD 20850
Housing Opportunities Commission of Montgomery County, Maryland 10400 Detrick Avenue Kensington, MD 20895-2484	Bethesda Urban Partnership, Inc. 7700 Old Georgetown Road Bethesda, MD 20814	

### **Joint Ventures**

The following organizations are considered joint ventures of the County: Maryland-National Capital Park and Planning Commission (M-NCPPC), Washington Suburban Sanitary Commission (WSSC), Washington Suburban Transit Commission (WSTC), Washington Metropolitan Area Transit Authority (WMATA), Metropolitan Washington Council of Governments (COG), and Northeast Maryland Waste Disposal Authority (NEMWDA). Disclosure of the County's participation in these joint ventures is presented in Note IV-D.

Complete financial statements can be obtained at the joint ventures' administrative offices listed below:

Maryland-National Capital Park and Planning Commission 6611 Kenilworth Avenue Riverdale, MD 20737	Washington Suburban Sanitary Commission 14501 Sweitzer Lane Laurel, MD 20707	Washington Suburban Transit Commission 8720 Georgia Avenue, Suite 904 Silver Spring, MD 20910
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001	Metropolitan Washington Council of Governments 777 N. Capitol Street, NE, #300 Washington, DC 20002-4290	Northeast Maryland Waste Disposal Authority 100 South Charles St, Tower II-Suite 402 Baltimore, MD 21201-2705

## **B) Government-Wide and Fund Financial Statements**

**Government-Wide Financial Statements** – The government-wide financial statements report information on all of the nonfiduciary activities of the Primary Government and its component units. Since by definition, assets of fiduciary funds are being held for the benefit of a third party (other local governments, private parties, pension participants, etc.) and cannot be used to address activities or obligations of the County, these funds are not incorporated into the government-wide statements. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities of the Primary Government, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

**Statement of Net Assets** – This statement is designed to display the financial position of the reporting entity as of year-end. Governments report all capital assets, including infrastructure, in the government-wide Statement of Net Assets and report depreciation expense – the cost of “using up” capital assets – in the Statement of Activities. Net assets are divided into three categories – 1) invested in capital assets, net of related debt; 2) restricted; and 3) unrestricted.

**Statement of Activities** – This statement demonstrates the degree to which the direct expenses of a given function or segment for the fiscal year are offset by program revenues. Therefore, this statement reflects both the gross and net costs per functional category (general government, public safety, public works and transportation, health and human services, culture and recreation, community development and housing, environment, and education) that are otherwise being supported by general revenues. Direct expenses (including depreciation) are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported as general revenues. The County does not allocate indirect expenses. The operating grants column includes operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants.

**Fund Financial Statements** – Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

In the fund financial statements, financial transactions and accounts of the County are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise assets, liabilities, fund balance/net assets, revenues, and expenditures/expenses.

**General Fund Budget-to-Actual Comparison Statement** - Demonstrating compliance with the adopted budget is an important component of a government's accountability to the public. Many citizens participate in the process of establishing the annual operating budgets of state and local governments, and have a keen interest in following the financial progress of their governments over the course of the year. For this reason, the County has chosen to make its General Fund budget-to-actual comparison statement part of the basic financial statements. The County and many other governments revise their original budgets over the course of the year for a variety of reasons; such revisions are reflected in a separate column in this statement.

**C) Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

**Measurement Focus and Basis of Accounting**

**Full Accrual Basis Financial Statements** - The government-wide, proprietary fund, and certain fiduciary fund (pension and other employee benefit trusts, investment trust, and private-purpose trusts) financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. The agency funds also use the accrual basis of accounting to recognize assets and liabilities. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenue in the year in which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met. Capital assets and related depreciation are also recorded in these statements.

**Modified Accrual Basis Financial Statements** - Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. In the governmental funds, revenues are recorded as soon as they are susceptible to accrual (both measurable and available). Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment has matured and is due. Similarly, expenditures related to claims and judgments and compensated absences are recorded only to the extent that they are expected to be liquidated with expendable available financial resources. Also, capital assets and related depreciation and long-term liabilities are not recorded in these statements.

In applying the susceptible to accrual concept to income taxes (distributed by the State), property taxes, and intergovernmental revenues other than grants, the County defines "available" to mean received within 30 days after year-end.

In the State of Maryland, the State has assumed the responsibility for the collection of all income taxes and for distributing those collections to the respective counties. The counties set their individual tax rates within limits provided by State law. However, collections and pursuit of delinquent taxes are the responsibility of the State. The County records estimated receivables relating to income taxes when the underlying income is earned. Amounts not received within 30 days are reported as deferred revenue. At year-end, historically, deferred revenue relating to income taxes has primarily included the final fiscal year quarterly distribution (which was normally received in August or September after the fiscal year-end), and amounts related to late filers, delinquent returns and audits, and unallocated withholding, not received within the County's availability period. Most deferred revenue is expected to be received from the State

within the next fiscal year; however, collections related to delinquent returns and audits and unallocated withholding may not occur and be remitted to the County for several years. Beginning with FY04, the State began distributing the final fiscal year quarterly distribution in July, rather than in August or September. Also included in this July distribution was an accelerated payment of unallocated withholding relating to several prior years. Therefore, General Fund revenue for FY04 includes an additional \$70,738,868 (\$50,061,178 related to the final quarterly distribution and \$20,677,690 related to unallocated withholding), that would historically have been included in deferred revenue. Deferred revenue relating to income taxes primarily includes amounts related to late filers, delinquent returns and audits, and remaining unallocated withholding.

In applying the susceptible to accrual concept to operating and capital grants, classified with intergovernmental revenues in the fund financial statements, the County records receivables when the applicable eligibility requirements including time requirements are met. Related revenues are recognized to the extent that cash is expected to be received within one year of year-end. Resources received before the eligibility requirements are met are reported as deferred revenue.

Charges for services, licenses and permits, fines and penalties, and miscellaneous revenues (except earnings on investments) are generally recorded as revenues when received in cash during the year. At year-end, receivables are recorded for significant amounts due. If such amounts are received in cash after year-end within the County's 30 day availability period, they are recognized as revenue; if not, such amounts are reported as deferred revenue.

#### **Financial Statement Presentation**

The County reports the following major governmental funds:

**General Fund** - This fund is the general operating fund of the County. It is used to account for all financial resources except those required to be accounted for in another fund.

**Debt Service Fund** - This fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal, interest, and related costs. Special assessment activities are accounted for in the Debt Service Fund for practical purposes because they differ significantly from traditional special assessment practices. The principal and interest collected annually on such assessments are used as a partial source of funding for debt service on all outstanding general obligation road and storm drainage bonds. The remaining debt service requirement is financed from current governmental revenues and transfers, generally from the General Fund.

**Capital Projects Fund** - This fund accounts for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds).

The County reports the following major enterprise funds:

**Liquor Enterprise Fund** - This fund accounts for the operations of twenty-five liquor stores and the Montgomery County Liquor Warehouse. Under State law, the Montgomery County Department of Liquor Control has a monopoly on the sale of alcoholic beverages within the County.

**Solid Waste Activities Enterprise Fund** - This fund accounts for the fiscal activity of all solid waste disposal operations, including recycling and leaf vacuuming, for the County. The fund utilizes the Dickerson, Maryland Resource Recovery Facility for refuse incineration, in combination with the out-of-County landfill haul and local recycling operations, to meet its disposal and recycling requirements. The fund also accounts for the fiscal activity related to County contracted refuse collection within the Solid Waste Collection District. This district is essentially comprised of the higher density, non-municipal, residential areas of the County. The Vacuum Leaf Collection program provides leaf collection services to downcounty residents during the late fall/winter months.

**Parking Lot Districts Enterprise Fund** - This fund accounts for the fiscal activity related to serving the parking needs of the people who work and shop in the four central business districts zoned for commercial or industrial use identified as Silver Spring, Bethesda, Wheaton, and Montgomery Hills.

Additionally, the County reports the following fund types:

**Other Governmental Funds** - The other governmental fund types used by the County are special revenue and permanent. Special revenue funds are used to account for specific revenues that are legally restricted for particular purposes. Permanent funds account for resources that are legally restricted to the extent that only earnings, and not principal, may be used for purposes that support the County's programs.

**Internal Service Funds** - These funds are used to account for the financing of goods or services provided by one department or agency to other departments or to other governmental units, on a cost-reimbursement basis. There are four Internal Service Funds reported by the County: Motor Pool, Liability and Property Coverage Self-Insurance, Employee Health Benefits Self-Insurance, and Central Duplicating.

The County reports the following fiduciary fund types:

**Pension and Other Employee Benefit Trust Fund** - This fund is used to account for all activities of the Employees' Retirement System of Montgomery County (defined benefit plan), Employees' Retirement Savings Plan (defined contribution plan) and Deferred Compensation Plan, including accumulation of resources for, and payment of, retirement annuities and/or other benefits and administrative costs.

**Investment Trust Fund** - This fund accounts for the portion of the external investment pool, sponsored by the County, that belongs to participating governments that are not part of the County reporting entity.

**Private-Purpose Trust Funds** - These funds are used to account for funds whose principal and interest are legally held in trust and must be expended in accordance with their designated purposes.

**Agency Funds** - These funds are used to account for assets, such as property taxes, held in a purely custodial capacity, where the County receives, temporarily invests, and remits such resources to individuals, private organizations, or other governments.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of GASB. Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The County has elected not to follow subsequent private-sector guidance.

In the process of aggregating data for the Statement of Net Assets and the Statement of Activities, some amounts reported as interfund activity and balances in the funds should be eliminated or reclassified. As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements. Assets and liabilities of internal service funds are included in governmental activities in the Statement of Net Assets. The effect of interfund services provided and used between functions has not been eliminated in the Statement of Activities, since to do so would distort the direct costs and program revenues reported for the various functions concerned.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the enterprise funds and of the internal service funds are charges to customers for sales and services. Operating expenses for enterprise funds and internal service funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

The County generally first uses restricted assets for expenses incurred for which both restricted and unrestricted assets are available. The County may defer the use of restricted assets based on a review of the specific transaction.

#### **D) Assets, Liabilities, and Net Assets or Equity**

##### **1) Cash and Investments**

**Pooled Cash and Investments** – The County sponsors an external investment pool. Participants in the pool include the County, certain component unit agencies, and other legally separate entities. The portion of pooled cash and investments applicable to other legally separate entities (not included in the County reporting entity) is accounted for in a separate Investment Trust Fund. During the year, investments are stated at cost plus accrued interest and are adjusted for amortization of premiums and accretion of discounts. At year-end, investments in the pool are adjusted to fair value. See Note III-A for additional information.

##### **Non-pooled Investments:**

**Governmental Fund Types** – Investments of the Housing Opportunities Commission (HOC) Treasury Bonds Permanent Fund (a Primary Government fund) are stated at fair value.

**Proprietary Fund Types** – The Solid Waste Activities Enterprise Fund investment is a U.S. Government security which is stated at fair value.

**Pension and Other Employee Benefit Trust Fiduciary Fund Type** – Investments are stated at fair value determined primarily on the basis of market quotations. If the quotations are not readily available then investments may be valued by another method which reflects fair value. Pension investments are comprised of an actively managed pool of equities, bonds, real estate commingled funds, and short-term securities, and passively managed index funds, managed by professional investment advisory firms under contract with the Board of Investment Trustees. Commingled



funds are pooled investment vehicles. The Employees' Retirement System Pension and Other Employee Benefit Trust Fund (System) invests in derivatives, in accordance with the policy of the Board of Investment Trustees. The policy prohibits the investment in derivatives for the purpose of leveraging its investment portfolio. During FY04, investments in derivatives included asset-backed securities, collateralized mortgage obligations, bond index future contracts, forward currency contracts, and floating rate securities. The System entered into these investments either to increase earnings or to hedge against potential losses, but these investments were not used to leverage the portfolio. These investments generally contain market risk resulting from fluctuations in interest and currency rates. The credit risk of these investments is associated with the credit worthiness of the related parties to the contracts. The System also participates in securities lending transactions (see Note III-A).

**Cash and Cash Equivalents** – For Statement of Cash Flows reporting purposes, the County has defined “cash equivalents” as short-term, highly liquid investments that are both readily convertible to known amounts of cash and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. Generally, only investments with original maturities of three months or less meet this definition. The balance sheet classification for “cash and cash equivalents” in the Statement of Cash Flows includes the following: “Equity in pooled cash and investments,” “Cash,” “Cash with fiscal agents,” and “Restricted Equity in pooled cash and investments.”

## **2) Receivables and Payables**

**Due from/to Other Funds and Internal Balances** – Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the year are current and are referred to as “due to/from other funds.” All other outstanding balances between funds are also reported as “due to/from other funds.” Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances.”

**Trade Accounts Receivable** – Trade and other receivables are shown net of an allowance for uncollectibles. The allowance for uncollectibles is calculated based on historical collection data and, in some cases, specific account analysis.

## **3) Inventories and Prepaids**

**Inventories** – Inventories are valued at lower of cost (principally first-in, first-out) or market in the Liquor Enterprise Fund and consist of goods held for sale. Inventories valued at cost (principally moving-average) are carried in the Motor Pool Internal Service Fund and the governmental fund types. All inventories are maintained by perpetual records and adjusted by annual physical counts. Inventories in the governmental funds and Motor Pool Internal Service Fund consist of items held for consumption. The cost is recorded as an expenditure at the time individual items are withdrawn for use. In governmental funds, the reserve for inventory is equal to the amount of inventory to indicate that portion of fund balance which is not available for funding other expenditures.

**Prepaids** – Payments made to vendors for services that will benefit periods beyond the end of the fiscal year are recorded as prepaids.

**4) Restricted Assets**

Certain proceeds of the County's bonds, as well as certain resources set aside for revenue bond repayment, are classified as restricted assets because their use is limited by applicable bond covenants.

**5) Capital Assets**

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, curbs and gutters, streets and sidewalks, drainage systems, lighting systems, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. The County defines capital assets as assets with an initial, individual cost of \$5,000 or more, and an estimated useful life in excess of one year. Such assets are valued at cost where historical records are available and at estimated historical cost where no historical records exist. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest is capitalized on proprietary fund assets acquired with tax-exempt debt. The amount of interest to be capitalized is calculated by offsetting interest expense incurred from the date of the borrowing until completion of the project with interest earned on invested proceeds over the same period.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings and structures	20 – 40
Improvements other than buildings	3 – 40
Infrastructure	20 – 60
Furniture, fixtures, equipment and machinery	3 – 20
Automobiles and trucks	2 – 15

**6) Compensated Absences**

Vested or accumulated vacation leave that is expected to be liquidated with expendable available financial resources has been determined by the County to be immaterial and is therefore not reported as an expenditure and a liability of the governmental fund that will pay the leave. Vested or accumulated vacation leave is reported as a liability and expense in the government-wide financial statements and proprietary fund types in the fund financial statements, along with the corresponding employer's share of social security and medicare taxes. Based on a historical analysis of leave usage, 75 percent and 25 percent of such accrued leave is classified as current and long-term, respectively. In the proprietary fund financial statements, the current portion of compensated absences is classified as accrued liabilities. Such amounts have been reclassified to non-current liabilities (due within one year and due in more than one year) in the government-wide financial statements. No liability is recorded for nonvesting accumulating rights to receive sick pay benefits.

## **7) Long-Term Obligations**

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statements of net assets. Bond premiums and discounts are deferred and amortized over the life of the bonds using the bonds outstanding method. Bonds payable in the proprietary fund financial statements and noncurrent liabilities in the government-wide financial statements are reported net of the applicable bond premium or discount. Bond issuance costs are generally reported as a deferred asset and amortized over the term of the related debt using the straight-line method.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as expenditures.

## **8) Fund Equity**

In the government-wide financial statements, the County has reported negative unrestricted net assets. This is due to the fact that the County issues general obligation bonded debt for purposes of capital construction on behalf of MCPS, MCC, and M-NCPPC. The capital assets related to component units are reported on the financial statements of MCPS and MCC, and this amount is also classified as net assets invested in capital, net of related debt (of which there is none) in the Component Units column of the government-wide Statement of Net Assets (Exhibit A-1). For Primary Government purposes, since the issuance of such debt has not resulted in a capital asset, the effect of this debt is reflected in unrestricted net assets (deficit) in the Governmental Activities column of the government-wide Statement of Net Assets. At June 30, 2004, the County has reported outstanding general obligation debt related to MCPS, MCC, and M-NCPPC amounting to \$817,668,162. Absent the effect of this relationship, the County would have reported positive unrestricted net assets of governmental activities in the amount of \$317,277,631.

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. However, long-term receivables in the Grants Special Revenue Fund, a nonmajor governmental fund, have not met the "available" criteria for revenue recognition, and are, therefore, offset by deferred revenue rather than reserved fund balance.

Designations of fund balances represent tentative management plans that are subject to change, which are described more fully in Note III-H.

## **9) Property Taxes**

Real and personal property taxes are levied at rates enacted by the County Council in the tax levy resolution on the assessed value as determined by the Maryland State Department of Assessments and Taxation. State law stipulates that the constant yield tax rate furnished by the Maryland State Department of Assessments and Taxation cannot be exceeded without public notice of the intent to exceed, and only after public hearings. The general property tax rate was levied above the constant yield rate for FY04. Following the Fairness in Taxation (FIT) legislation, the County Charter requires an affirmative vote of seven members of the Council to increase the real property tax rate to a level

that will produce total revenues exceeding the total revenue produced by the tax on real property in the preceding year, plus 100 percent of any increase in the Consumer Price Index with exemptions for revenue from newly constructed, rezoned property and development district tax to fund capital improvement projects. The tax rate adopted for levy year 2003 (i.e., FY04) exceeded the Charter limit for that year.

Generally, property taxes are levied as of July 1 and become delinquent on October 1. Interest and penalty amounts are assessed annually at 20 percent on delinquent tax bills. Effective July 2000, owner-occupied residential property owners began paying their tax on a semi-annual schedule, with the first and second installments due on September 30 and December 31, respectively. Taxpayers may opt to make both semi-annual payments on or before September 30.

The County collects delinquent real property taxes through a public tax lien sale. Tax liens, representing delinquent taxes on real property are sold in random groups, utilizing a sealed bid process, on the second Monday in June, when taxes have remained overdue since the preceding October 1 or in the case of a semi-annual schedule, January 1.

## **NOTE II. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

### **A) Budgetary Information**

#### **Overview**

Annual appropriated operating budgets are adopted for the General Fund, Debt Service Fund, substantially all Special Revenue Funds, Enterprise Funds, the Liability and Property Coverage Self-Insurance Internal Service Fund, and the Employee Health Benefits Self-Insurance Internal Service Fund. The Capital Projects Fund budget is appropriated at the project level on a biennial basis. All unencumbered appropriations except for those related to Federal and State grants and those related to the Capital Projects Fund lapse at year-end.

Encumbrance accounting is employed for budgetary purposes in the governmental and proprietary funds. Encumbrances (purchase orders and contracts awarded for which goods and services have not been received at year-end), and other commitments for the expenditure of funds are recorded in order to reserve that portion of the appropriation. In the governmental funds for GAAP purposes, outstanding encumbrances are reported as a reservation of fund balance because they do not constitute expenditures or liabilities. In the proprietary funds, encumbrances are eliminated for GAAP financial statement presentation since neither goods nor services have been provided. For GAAP purposes, all encumbrances are charged to expenditures/expenses in the period in which goods or services are received.

#### **Approval**

Pursuant to the Montgomery County Charter, the Capital Improvements Program (CIP), is presented to the County Council by January 15 in even numbered years. An Amended CIP is presented to the County Council by January 15 in odd numbered years. The annual capital budget, with the CIP or Amended CIP, is presented to the County Council by January 15 of every year and the operating budget is presented to the County Council by March 15 of every year. The County Council holds public hearings and, pursuant to the County Charter, an annual appropriation resolution must be passed by the County Council by June 1. This resolution becomes effective for the one-year period beginning the following July 1. For the operating budget, the annual resolution provides the spending authority at the department level in three major categories (personnel costs, operating, and capital outlay) with the unencumbered appropriation

authority expiring the following June 30. Encumbered appropriations are reappropriated and carried forward to the subsequent fiscal year. With the exception of the Grants Special Revenue Fund (see Note IV-H1), such encumbrances are reserved as part of the current fiscal year's fund balance. The annual budget must be consistent with the six-year program for public services and fiscal policy. Multi-year planning provides a framework to make informed decisions about the levels of public services and project the impact of what may happen as a result of current decisions and policies. For the capital projects budget, the annual resolution provides spending authority at the project level. The unencumbered appropriation of the CIP budget is reappropriated in the following year's budget unless specifically closed out by County Council action.

The County Executive has authority to transfer appropriations within departments up to 10 percent of the original appropriation. Transfers between departments are also limited to 10 percent of original appropriation and require County Council action. During the operating year the County Council may adopt a supplemental appropriation if recommended by the County Executive and after holding a public hearing. Supplemental appropriations enacted during the first half of the fiscal year require: five Councilmember votes if they are to avail the County of, or put into effect the provision of Federal, State, or local legislation or regulation; or six Councilmember votes for any other purpose. During the operating year the County Council may also adopt, with six Councilmember votes, special appropriations to meet an unforeseen disaster or other emergency or to act without delay in the public interest. Special appropriations require only public notice by news release. During FY04, the County Council increased the operating budget through supplemental and special appropriations by \$38.9 million. In addition, supplemental appropriations increased the CIP budget by \$27.9 million.

### **Presentation**

The basis used to prepare the legally adopted budget is different from GAAP in a number of ways, including the following:

- Encumbrances outstanding are charged to budgetary appropriations and considered expenditures of the current period; any cancellations of such encumbrances in a subsequent year are classified with miscellaneous revenue for budgetary purposes.
- Certain activity, such as unrealized gains (losses), is not budgeted due to its nature.
- Certain interfund revenues/expenditures are classified as transfers for budget purposes.
- Mortgages and loans made and related repayments are generally accounted for as expenditures/other financial uses and revenues/other financing sources, respectively.
- Proceeds under certain capital lease financing.
- Certain activity is not budgeted by the County, since it is included in the budget of a component unit that is legally adopted by the County Council, such as certain pass-through expenditures, and bond proceeds and related transfers to MCPS and MCC.

Adjustments necessary to reconcile the General Fund budgetary and GAAP statements are as follows:

	Revenues	Expenditures and Encumbrances	Other Financing Sources (Uses)	Effect on Fund Balance
<b>General Fund:</b>				
As reported - budgetary basis	\$ 2,099,843,757	\$ 654,060,322	\$ (1,423,792,350)	\$ 21,991,085
Reconciling items:				
Cancellation of prior year encumbrances	(1,571,556)	-	-	(1,571,556)
Elimination of encumbrances outstanding	-	(13,840,682)	-	13,840,682
Unrealized gains (losses)	(1,740,797)	-	-	(1,740,797)
Elimination of certain grant activity	(7,388)	-	-	(7,388)
Financing under capital lease	-	-	35,990,624	35,990,624
Transfer to Silver Spring Parking Lot District	-	-	(35,990,624)	(35,990,624)
Interfund activities budgeted as transfers:				
Recreation facility maintenance costs	919,040	-	(919,040)	-
Public agency permits	-	1,059,660	1,059,660	-
Solid waste tipping fees	-	1,316,550	1,316,550	-
Community use of public facilities for elections	-	92,420	92,420	-
Component Unit activities budgeted as transfers:				
Component Units - Transfer in	328,420	-	(328,420)	-
Component Units - Transfer out	-	1,222,246,998	1,222,246,998	-
As reported - GAAP basis	<u>\$ 2,097,771,476</u>	<u>\$ 1,864,935,268</u>	<u>\$ (200,324,182)</u>	<u>\$ 32,512,026</u>

## B) Deficit Fund Equity

**Internal Service Fund** – The \$11,847,992 unrestricted deficit in the Liability and Property Coverage Self-Insurance Internal Service Fund is primarily caused by an unanticipated increase both in claims incurred and paid during the year, and in incurred but not reported claims as determined by the actuary. Actions have been taken by management to adjust the rates beginning in FY03, to recover this deficit over an originally planned timeframe of three years. The deficit will be recovered by continuing to charge participating agencies higher insurance premium rates in future years; however higher than originally anticipated claims in FY04, and expected in FY05, have resulted in an extended timeframe for recovery, through FY06.

### NOTE III. DETAILED NOTES ON ALL FUNDS

#### A) Cash and Investments

##### 1) Authorization and Balances

The Montgomery County reporting entity total cash and investments as of June 30, 2004, totaled \$3,643,325,837, of which \$3,153,587,045 is related to the Primary Government, as presented below and in the government-wide financial statements. These funds are held in several pools, various non-pooled investments, and cash funds. The following is a schedule of total cash and investments:

	Primary Government	Component Units	Total Reporting Entity
<u>Statement of Net Asset Amounts:</u>			
Equity in pooled cash and investments	\$ 506,258,662	\$ 53,106,412	\$ 559,365,074
Cash with fiscal agents	37,589,508	14,114,865	51,704,373
Cash	228,598	6,524,665	6,753,263
Investments - cash equivalents	-	96,398,079	96,398,079
Investments	2,568,463,630	2,924,602	2,571,388,232
Restricted equity in pooled cash and investments	37,923,414	12,096,443	50,019,857
Restricted cash with fiscal agents	-	108,025	108,025
Restricted cash	-	5,768,809	5,768,809
Restricted investments - cash equivalents	-	97,989,738	97,989,738
Restricted investments	3,123,233	200,707,154	203,830,387
Total	<u>\$ 3,153,587,045</u>	<u>\$ 489,738,792</u>	<u>\$ 3,643,325,837</u>
<u>Deposit and Investment Summary:</u>			
Deposits	\$ 36,861,351	\$ 10,303,836	\$ 47,165,187
Investments	3,078,907,588	366,320,195	3,445,227,783
Cash on hand, fiscal agents, safe deposit escrow	37,818,106	113,114,761	150,932,867
Total	<u>\$ 3,153,587,045</u>	<u>\$ 489,738,792</u>	<u>\$ 3,643,325,837</u>

Primary Government cash and investments reconciles to the basic financial statements as follows:

Government-wide	\$ 522,338,027
Fiduciary funds	<u>2,631,249,018</u>
Total	<u>\$ 3,153,587,045</u>

## PRIMARY GOVERNMENT

**External Investment Pool** - The County, through its external investment pool, maintains an active and sophisticated cash and investment management program. The primary objectives of the program are the preservation of capital, providing liquidity to meet financial obligations, and maximization of the investment yield on short-term working capital. Working capital is managed pursuant to the Annotated Code of Maryland, the County Code, and the County's investment policies as approved by the County Council. The County is authorized to invest in: a) obligations for which the United States has pledged its full faith and credit for the payment of principal and interest, b) obligations that a federal agency or instrumentality issues in accordance with an act of Congress, or c) repurchase agreements that any of the foregoing listed obligations secures. Cited statutes also authorize investments in bankers' acceptances, secured certificates of deposit issued by Maryland banks, commercial paper of the highest investment grade, money market funds whose portfolio is operated consistent with the Securities and Exchange Commission rule 2a-7, and the Maryland Local Government Investment Pool (MLGIP). The County requires that these money market funds invest only in obligations that a federal agency or instrumentality issues in accordance with an act of Congress and repurchase agreements collateralized by an obligation of the United States, its agencies or instrumentalities. The average maturity of the County's working capital portfolio is generally less than six months.

These same statutes require that securities underlying certificates of deposit and repurchase agreements have a market value of at least 102 percent of the cost of the investment. A third party custodian holds the collateral underlying all repurchase agreements. Appropriate sections of these cited statutes also require that funds on deposit in financial institutions be fully secured. The form of such security shall be in compliance with State statute and the County Code. Collateral pledged for protection of these banking deposits is held in the County's name in a third party depository, in the trust department of pledging banks, or insured by a surety bond by a State approved insurance company.

Deposits at financial institutions were fully insured or collateralized throughout the fiscal year with the exception of Chevy Chase Bank, for periods in June 2004. As of June 30, 2004, the County's demand deposit account at Chevy Chase Bank was under collateralized. Upon notification to the bank, the bank immediately pledged additional collateral. The County has implemented a daily monitoring process to ensure collateral balances always exceed demand deposit balances at financial institutions.

The County's external investment pool is not subject to regulatory oversight by the SEC. However, the pool is subject to oversight by the County's investment committee. There were no unusual variations in the mix or volume of the investment portfolio throughout the year. The County was in compliance with all applicable investment statutes throughout the fiscal year.

Participants in the pool include the County, certain component unit agencies, and other legally separate entities. The equity position of each fund and component unit is reported as an asset by the funds and component units. The external portion of the pool (i.e., participation by legally separate entities) is reported as the Investment Trust Fund in the accompanying financial statements. Participants' shares sold and redeemed during the year are based on actual cost; participants' shares are then adjusted to fair value at year-end. The County has not provided or obtained any legally binding guarantees during the year to support the value of shares.



During the year, investments are stated at cost plus accrued interest and are adjusted for amortization of premiums and accretion of discounts. Investments are marked-to-market at year-end, since the pool does not meet the strict definition of “2a-7 like”. The fair value of U. S. Government securities, commercial paper and bankers’ acceptances are provided by the County’s custodian, which are based on various industry standard pricing sources. Fair value of investments in repurchase agreements are estimated based on consideration of composite quoted market prices, with comparable collateral or credit quality, as appropriate. For interest-bearing investments, market value quotations did not include accrued interest. However, for reporting purposes, immaterial amounts of accrued interest have been classified with the fair value of investments in the accompanying financial statements.

Investment income during the year, and the adjustment to fair value at year-end, is allocated to pool participants based upon their average equity in the pool. The adjustment to fair value for the current year related to all County funds (exclusive of legally separate entities’ accounts reflected in the Investment Trust Fund) has been recorded in the General Fund, since this amount is not material.

External investment pool amounts, included in the schedule above, are as follows:

	Primary Government	Component Units	Total Reporting Entity
<u>Balance Sheet Amounts:</u>			
Equity in pooled cash and investments	\$ 506,258,662	\$ 9,302,883	\$ 515,561,545
Restricted equity in pooled cash and investments	37,923,414	-	37,923,414
Total	<u>\$ 544,182,076</u>	<u>\$ 9,302,883</u>	<u>\$ 553,484,959</u>
<u>Deposit and Investment Summary:</u>			
Deposits	\$ 36,861,351	\$ -	\$ 36,861,351
Investments	507,320,725	9,302,883	516,623,608
Total	<u>\$ 544,182,076</u>	<u>\$ 9,302,883</u>	<u>\$ 553,484,959</u>

A summary of investments is as follows:

<u>Investment Type:</u>	Fair Value	Principal	Maturity Range	Interest Rate Range
Repurchase agreements	\$ 84,996,623	\$ 85,000,000	07/04	1.55%
U.S. Government securities	227,926,399	229,712,071	07/04 - 04/06	.947 - 2.26%
Commercial paper	26,457,155	26,428,833	08/04	1.20 - 1.48%
Bankers' acceptances	85,118,291	85,008,700	07/04 - 02/05	1.06 - 1.36%
Money market funds	92,125,140	92,125,140	N/A	1.00 - 1.05%
Total	<u>\$ 516,623,608</u>	<u>\$ 518,274,744</u>		

During FY04, the County’s pension trust securities lending transactions, as described below, participated in an external investment pool.

**Securities Lending Transactions** – Montgomery County Code and Maryland State statutes allow the Employees’ Retirement System of Montgomery County, Maryland (MCERS) to participate in securities lending transactions, and MCERS has, via a Securities Lending Authorization Agreement, authorized The Northern Trust Company (Northern) to lend its securities to broker-dealers and banks pursuant to a form of loan agreement.

During FY04, Northern lent, at the direction of the Board of Investment Trustees, MCERS’ securities and received cash (both United States and foreign currency), United States government securities, sovereign debt of foreign countries and irrevocable bank letters of credit as collateral. Northern did

not have the ability to pledge or sell those collateral securities delivered unless there was a borrower default. Borrowers were required for each loan to deliver collateral amounting to 102 percent and 105 percent of the market value of the securities plus any accrued interest on the United States and foreign securities, respectively. MCERS did not impose any restriction during FY04 on the amount of loans that Northern made on its behalf. Northern indemnifies the System by agreeing to purchase replacement securities, or return the cash collateral thereof, in the event a borrower fails to return loaned securities or pay distributions thereon. There were no failures by any borrowers to return loaned securities or pay distributions thereon during FY04. Moreover, there were no losses during FY04 resulting from default of the borrowers or Northern. During FY04, MCERS and the borrowers maintained the right to terminate all securities lending transactions on demand.

The cash collateral was invested at the direction of MCERS in the cash collateral fund of the Northern Core USA Collateral Section (the "Fund"). The Fund is accounted for on an amortized cost basis. The majority of the investments of the Fund consist of money market instruments which mature within one year. The Fund is not registered with the Securities and Exchange Commission but the Fund complies with a substantial majority of the requirements of SEC Rule 2a-7. Northern and consequently the investment vehicles it sponsors (including the Fund) are subject to the oversight of the Federal Reserve Board and the Illinois Commissioner of Banks and Real Estate. The Fund sponsor believes that the value of a participant's investment in the Fund determined by valuing the underlying assets at amortized cost is approximately equal to the value of the investment if the underlying assets are valued at fair value.

The average duration of such investment pool as of June 30, 2004, was 24 days and the average weighted maturity was 158 days. Because the loans were terminable at will, their duration did not generally match the duration of the investments made with cash collateral. On June 30, 2004, MCERS had no credit risk exposure to borrowers. The collateral held and the market value of securities on loan for MCERS as of June 30, 2004, were \$344,168,604 and \$336,733,010, respectively. Cash collateral held, amounting to \$300,257,113, is included as an asset and corresponding liability in the accompanying financial statements at year-end.

## **COMPONENT UNITS**

**MCPS** - The Annotated Code of Maryland requires that MCPS funds on deposit with a financial institution be fully secured by deposit insurance, surety bonds, obligations of the United States or its agencies, obligations of the State of Maryland or any of its agencies, or obligations of a county, other governmental authority or municipal corporation in the State of Maryland. Deposits throughout the year were fully insured or collateralized. The Annotated Code of Maryland authorizes MCPS to invest in obligations for which the United States has pledged its faith and credit for the payment of principal and interest, in obligations issued by a federal agency in accordance with an Act of Congress, in repurchase agreements collateralized at not less than 102 percent of the principal amount by obligations of the United States and its agencies, in money market mutual funds operated in accordance with SEC Rule 2a-7, or in any investment portfolio created under the Maryland Local Government Investment Pool. MCPS was in compliance with the above mentioned investment statutes throughout the fiscal year.

The MCPS Employee Benefit Plan Internal Service Fund is authorized to invest in domestic and foreign equities, obligations of the United States and its agencies, securities issued or guaranteed by a foreign government, marketable corporate bonds, collateralized obligations, commercial paper, bankers' acceptances, money market funds and pooled real estate investments. Fixed income

investments are to be made primarily in issues rated “A” or better by Moody’s and “A” or better by Standards and Poor’s rating agencies.

**HOC** - Investments of HOC’s General Fund, Public Fund, and Opportunity Housing Fund consist of those permitted by the investment policy including obligations of the U.S. government and federal agencies, bankers’ acceptances, repurchase agreements, certificates of deposit, money market mutual funds, investments in the MLGIP, commercial paper, and investments in the Montgomery County investment pool. Investments of the HOC Multi-Family Program Fund and the Single Family Mortgage Purchase Program Fund consist of those permitted by the respective bond trust indentures adopted by HOC providing for the issuance of bonds.

## 2) **Credit and Market Risk**

### **Deposit Collateral:**

	Carrying Amount	Bank Balance	Total Collateral **
<u>Primary Government:</u>			
Montgomery County *	\$ 36,861,351	\$ 48,089,177	\$ 45,372,216
<u>Component Units:</u>			
MCPS	4,918,540	16,311,938	16,311,938
MCC	1,043,030	2,867,573	2,867,573
MCRA	1,031,701	1,207,296	1,207,296
HOC	3,059,408	3,059,408	3,059,408
BUPI	251,157	318,359	189,796
Total Component Units	10,303,836	23,764,574	23,636,011
Total Reporting Entity	<u>\$ 47,165,187</u>	<u>\$ 71,853,751</u>	<u>\$ 69,008,227</u>

\* County deposits are the same as external investment pool deposits.

\*\* For those entities with fully collateralized deposits, total actual collateral equals or exceeds the amounts listed.

Deposits include bank accounts and non-negotiable certificates of deposit. The County’s bank balances, and therefore the external investment pool’s balances, were insured or collateralized with securities held by the County’s agent in the County’s name, with the exception of \$2,716,961, which was uncollateralized at year-end.

Of the component unit bank balances, \$20,237,528 was insured or collateralized with securities held by the component units' agents in the component units' names, \$3,398,483 was covered by collateral held by the pledging financial institution's trust department or agent in the component units' names, and \$128,563 was uncollateralized.

**Investments by Category of Risk:**

<u>Primary Government:</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Carrying Amount</u>	<u>Fair Value</u>
Pension Investments:					
Short-term investments	\$ 96,168,794	\$ -	\$ -	\$ 96,168,794	\$ 96,168,794
Asset-backed securities	25,130,943	-	-	25,130,943	25,130,943
Collateralized mortgage obligations	3,308,835	-	-	3,308,835	3,308,835
Commercial mortgage-backed securities	3,214,617	-	-	3,214,617	3,214,617
Municipal/provincial bonds	745,819	-	-	745,819	745,819
Convertible corporate bonds	1,326,272	-	-	1,326,272	1,326,272
Corporate bonds:					
Not on securities loan	240,522,059	-	-	240,522,059	240,522,059
On securities loan for securities collateral	759,577	-	-	759,577	759,577
U.S. Government obligations:					
Not on securities loan	75,568,455	-	-	75,568,455	75,568,455
On securities loan for securities collateral	33,954,926	-	-	33,954,926	33,954,926
Common and preferred stock:					
Not on securities loan	1,173,748,212	-	-	1,173,748,212	1,173,748,212
On securities loan for securities collateral	8,361,376	-	-	8,361,376	8,361,376
Subtotal Pension Investments	<u>1,662,809,885</u>	<u>-</u>	<u>-</u>	<u>1,662,809,885</u>	<u>1,662,809,885</u>
Other Investments:					
U.S. Government securities	<u>9,672,123</u>	<u>-</u>	<u>-</u>	<u>9,672,123</u>	<u>9,672,123</u>
	<u>\$ 1,672,482,008</u>	<u>\$ -</u>	<u>\$ -</u>	<u>1,672,482,008</u>	<u>1,672,482,008</u>
Pooled investments held in:					
Montgomery County external investment pool *				507,320,725	507,320,725
Pension Investments:					
Mutual and commingled funds				294,949,917	294,949,917
Securities lending short-term collateral investment pool				300,257,113	300,257,113
Investments held by broker dealers under securities loans with cash collateral:					
Common and preferred stock				137,573,338	137,573,338
Corporate bonds				41,003,068	41,003,068
Government obligations				115,060,475	115,060,475
Real estate				3,697,613	3,697,613
Alternative investment				6,563,331	6,563,331
Subtotal Pension Investments				<u>899,104,855</u>	<u>899,104,855</u>
Subtotal Pooled Investments				<u>1,406,425,580</u>	<u>1,406,425,580</u>
Total Investments				<u>\$ 3,078,907,588</u>	<u>\$ 3,078,907,588</u>

<u>Component Units:</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Carrying Amount</u>	<u>Fair Value</u>
Repurchase agreements	\$ 512,797	\$ 29,675,490	\$ 831,884	\$ 31,020,171	\$ 31,099,669
U.S. Government securities	217,139,952	7,780,652	30,427,324	255,347,928	255,356,422
Bankers' acceptances	118,786	-	-	118,786	118,786
	<u>\$ 217,771,535</u>	<u>\$ 37,456,142</u>	<u>\$ 31,259,208</u>	<u>286,486,885</u>	<u>286,574,877</u>

Pooled investments held in:					
Montgomery County external investment pool *				9,302,883	9,302,883
Maryland local government investment pool				40,337,612	40,337,612
Mutual funds				30,192,815	30,192,815
Total Investments				<u>\$ 366,320,195</u>	<u>\$ 366,408,187</u>

MCC short-term investments with original maturities of less than 90 days in U.S. Government securities and bankers' acceptances are carried at amortized cost.

\* The Primary Government and Component Units' participation in the Montgomery County external investment pool is presented as pooled investments and not categorized by credit risk because they are not evidenced by securities that exist in physical or book entry form. The County, as sponsor of the pool, has disclosed the risk categorization of external pool investments below.

<u>External Investment Pool:</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Carrying Amount</u>	<u>Fair Value</u>
Repurchase agreements	\$ 84,996,623	\$ -	\$ -	\$ 84,996,623	\$ 84,996,623
U.S. Government securities	227,926,399	-	-	227,926,399	227,926,399
Commercial paper	26,457,155	-	-	26,457,155	26,457,155
Bankers' acceptances	84,118,291	-	-	84,118,291	84,118,291
	<u>\$ 423,498,468</u>	<u>\$ -</u>	<u>\$ -</u>	<u>423,498,468</u>	<u>423,498,468</u>
Pooled investments held in:					
Money market funds				92,125,140	92,125,140
Total Investments				<u>\$ 515,623,608</u>	<u>\$ 515,623,608</u>

Investments are categorized to give an indication of the level of risk assumed by the entity at year-end. Category 1 includes investment securities that are insured or registered or held by the entity or its agent in the entity's name. Category 2 includes uninsured and unregistered investment securities held by the counterparty's trust department or agent in the entity's name. Category 3 includes uninsured and unregistered investment securities held by a counterparty, or by its trust department or agent but not in the entity's name. Investment amounts included as Category 3 did not significantly fluctuate during the fiscal year. There were no unusual variations in form or amounts of investments or deposits, including insurance and location of collateral, throughout the fiscal year.

**Cash on hand, with fiscal agents, and in safe deposit escrow:**

	<u>Primary Government</u>	<u>Component Units</u>	<u>Total Reporting Entity</u>
Cash with fiscal agents	\$ 37,589,508	\$ 113,060,262	\$ 150,649,770
Petty cash/safe deposit escrow	228,598	54,499	283,097
	<u>\$ 37,818,106</u>	<u>\$ 113,114,761</u>	<u>\$ 150,932,867</u>

Primary Government cash with fiscal agents of \$30,662,609 is held for approximately one day in bank accounts that are not in the County's name and are not collateralized, and \$3,931,376 is held in money market funds. \$2,995,523 is held in U.S. Government obligations that are not in the County's name (Category 3). Per the Montgomery County Code, banks receiving County funds in trust, for the purpose of paying principal and interest on bonds or other County obligations, need not furnish security for those funds.

Component units' cash with fiscal agents of \$96,235,995 is held in money market mutual funds, \$329,327 is held for approximately one day in U.S. Government obligations that are not in the component unit's name (Category 3), and \$16,494,940 is held in repurchase agreements held by the counterparty's trust department or agent in the component unit's name (Category 2).

### 3) External Investment Pool Condensed Financial Statements

The condensed financial statements of the County's external investment pool at June 30, 2004, are as follows:

#### Statement of Net Assets June 30, 2004

Assets:	
Investment in securities, at fair value	\$516,623,608
Cash	36,861,351
Total assets and net assets	<u>\$553,484,959</u>
Net assets consist of:	
Internal participants' units outstanding (\$1.00 par)	\$532,826,969
External participants' units outstanding (\$1.00 par)	20,657,990
Net assets	<u>\$553,484,959</u>
Participants net asset value, offering price and redemption price per share (\$553,484,959 / 551,402,442 units)	<u>\$ 1.00</u>

#### Statement of Changes in Net Assets For the Fiscal Year Ended June 30, 2004

Investment Income *	\$ 4,565,217
Distributions to participants:	
Distributions paid and payable	(4,565,217)
Share transactions at net asset value of \$1.00 per share:	
Purchase of units	\$13,780,416,548
Redemption of units	<u>(13,827,096,575)</u>
Net increase in net assets and shares resulting from share transactions	<u>(46,680,027)</u>
Total increase in net assets	(46,680,027)
Net assets, July 1, 2003	<u>600,164,986</u>
Net assets, June 30, 2004	<u>\$553,484,959</u>

\* The pool has no expenses.

### B) Receivables

#### 1) Accounts Receivable

The total allowance for doubtful accounts at June 30, 2004, amounted to:

Enterprise Funds:	
Liquor	\$ 436,049
Solid Waste Activities	61,847
Parking Lot Districts	4,307,274
	<u>\$ 4,805,170</u>

## 2) Due from/to Component Units

The balances at June 30, 2004, were:

Due from Component Units /  
Due to Primary Government:

Due from Component Units: Due to Primary Government:	MCPS	MCC	MCRA	HOC	BUPI	Total
General	\$ 1,642,482	\$ 2,250,000	\$ 7,338	\$ 1,378,741	\$ -	\$ 5,278,561
Capital Projects	3,928,630	-	-	14,839,401	-	18,768,031
Solid Waste Activities Enterprise	75,319	1,318	-	851	-	77,488
Parking Lot Districts Enterprise	-	-	-	506,943	-	506,943
Nonmajor governmental	-	-	-	26,047,825	-	26,047,825
Internal Service	12,445	5,966	33,780	287,309	7,266	346,766
Fiduciary	-	-	13,679	102,898	-	116,577
Total Due to Primary Government	\$ 5,658,876	\$ 2,257,284	\$ 54,797	\$ 43,163,968	\$ 7,266	\$ 51,142,191

Due to Component Units /  
Due from Primary Government:

Due to Component Units: Due from Primary Government:	MCPS	MCC	MCRA	HOC	BUPI	Total
General	\$ 25,187,074	\$ 22,973	\$ -	\$ 814,212	\$ -	\$ 26,024,259
Capital Projects	-	1,769,457	-	80,360	-	1,849,817
Nonmajor governmental	1,385,499	16,887	-	1,447,407	1,636	2,851,429
Nonmajor Enterprise	492,120	-	-	-	-	492,120
Internal Service	25,783	-	-	-	-	25,783
Total Due from Primary Government	\$ 27,090,476	\$ 1,809,317	\$ -	\$ 2,341,979	\$ 1,636	\$ 31,243,408

In the nonmajor governmental funds, \$20,788,254 due from HOC to the Housing Initiative Special Revenue Fund represents mortgage loans, which are generally repayable based on project cash flows, specified future dates, or sales of the respective properties. Included in this amount is a loan of \$2,213,324, for which payments are based on cash flows. Terms of the note stipulate that the balance of the note will be forgiven at the termination of the ground lease in December 2035. To date the project has not generated cash flows. This loan is offset by deferred revenue. Also included in the amount above is a ground lease, upon which is located affordable housing owned by HOC. The ground lease provides for lease payments from HOC for \$1 per year for 83 years. Fund balance has been reserved for the remaining loans. During FY04, approximately \$130,000 in loans to HOC was forgiven by the County.

## 3) Due From Other Governments

The total amount due from other governments at June 30, 2004, was comprised of the following:

	General	Capital Projects	Solid Waste Activities	Parking Lot Districts	Nonmajor Governmental	Nonmajor Enterprise	Internal Service	Fiduciary	Total
Federal government	\$ 49,863	\$ 5,193,635	\$ 765	\$ -	\$ 11,135,225	\$ -	\$ 1,783	\$ -	\$ 16,381,271
State of Maryland	23,166,320	30,271,784	10,722	-	27,399,033	2,378	22,867	15,940	80,889,044
Other	255,000	202,989	129,995	193,364	192,229	-	33,670	6,055	1,013,302
Total	\$ 23,471,183	\$ 35,668,408	\$ 141,482	\$ 193,364	\$ 38,726,487	\$ 2,378	\$ 58,320	\$ 21,995	\$ 98,283,617

**C) Capital Assets**

**PRIMARY GOVERNMENT**

Capital asset activity for the year ended June 30, 2004, was as follows:

	Balance July 1, 2003*	Increases	Decreases	Balance June 30, 2004
<b>Governmental Activities</b>				
Nondepreciable Capital Assets:				
Land	\$ 468,610,493	\$ 22,038,336	\$ 5,467,684	\$ 485,181,145
Construction in progress	215,430,898	137,234,487	118,861,286	233,804,099
Total Nondepreciable Capital Assets	684,041,391	159,272,823	124,328,970	718,985,244
Depreciable Capital Assets:				
Buildings	487,201,726	42,949,405	1,874,021	528,277,110
Improvements other than buildings	44,189,031	1,600,771	-	45,789,802
Furniture, fixtures, equipment and machinery	155,231,289	28,373,540	2,769,488	180,835,341
Leasehold improvements	-	7,221,582	-	7,221,582
Automobiles and trucks	145,574,580	19,045,956	7,453,355	157,167,181
Infrastructure	1,324,726,085	54,020,269	-	1,378,746,354
Other assets	7,058,182	-	4,978,451	2,079,731
Total Capital Assets being Depreciated	2,163,980,893	153,211,523	17,075,315	2,300,117,101
Less Accumulated Depreciation for:				
Buildings	174,754,427	14,685,826	1,839,736	187,600,517
Improvements other than buildings	20,812,160	1,369,688	-	22,181,848
Furniture, fixtures, equipment and machinery	39,990,040	16,519,839	2,763,817	53,746,062
Leasehold improvements	-	315,228	-	315,228
Automobiles and trucks	70,930,060	11,227,451	7,027,391	75,130,120
Infrastructure	288,805,703	26,661,382	-	315,467,085
Other assets	2,153,222	705,817	1,991,380	867,659
Total Accumulated Depreciation	597,445,612	71,485,231	13,622,324	655,308,519
Total Depreciable Assets, net	1,566,535,281	81,726,292	3,452,991	1,644,808,582
Governmental Activities Capital Assets, net	\$ 2,250,576,672	\$ 240,999,115	\$ 127,781,961	\$ 2,363,793,826
<b>Business-Type Activities</b>				
Nondepreciable Capital Assets:				
Land	\$ 52,833,368	\$ -	\$ 55,705	\$ 52,777,663
Construction in progress	14,233,274	40,492,055	54,709,947	15,382
Total Nondepreciable Capital Assets	67,066,642	40,492,055	54,765,652	52,793,045
Depreciable Capital Assets:				
Buildings	143,445,748	51,142,477	-	194,588,225
Improvements other than buildings	105,070,578	3,679,965	52,879	108,697,664
Furniture, fixtures, equipment and machinery	19,378,755	1,013,502	2,411,840	17,980,417
Automobiles and trucks	3,688,886	29,355	52,320	3,665,921
Total Capital Assets being Depreciated	271,583,967	55,865,299	2,517,039	324,932,227
Less Accumulated Depreciation for:				
Buildings	60,180,526	4,860,401	-	65,040,927
Improvements other than buildings	87,181,635	2,840,250	52,879	89,969,006
Furniture, fixtures, equipment and machinery	11,993,696	1,585,687	1,902,164	11,677,219
Automobiles and trucks	2,375,725	158,954	52,320	2,482,359
Total Accumulated Depreciation	161,731,582	9,445,292	2,007,363	169,169,511
Total Depreciable Assets, net	109,852,385	46,420,007	509,676	155,762,716
Business-Type Activities Capital Assets, net	\$ 176,919,027	\$ 86,912,062	\$ 55,275,328	\$ 208,555,761

\* Certain amounts have been reclassified to conform with the current year presentation.



Depreciation expense was charged to the functions of the primary government as follows:

Governmental activities:

General government	\$ 9,297,293
Public safety	19,896,173
Public works and transportation	35,590,720
Health and human services	1,282,488
Culture and recreation	3,777,499
Community development and housing	1,449,345
Environment	191,713
Total depreciation expense-governmental activities	<u>\$ 71,485,231</u>

Business-type activities:

Liquor	\$ 657,516
Solid waste activities	2,850,405
Parking lot districts	5,710,544
Permitting services	178,789
Community use of public facilities	48,038
Total depreciation expense-business-type activities	<u>\$ 9,445,292</u>

Construction commitments as of June 30, 2004, are as follows:

General government	\$ 12,174,940
Public safety	19,485,272
Public works and transportation	22,319,605
Culture and recreation	23,052,985
Community development and housing	7,847,268
Environment	3,670,602
Total	<u>\$ 88,550,672</u>

## COMPONENT UNITS

Capital assets of MCPS, amounting to \$1,289,715,772 at June 30, 2004, are significant in relation to the total component unit capital assets.

	Balance July 1, 2003	Increases	Decreases	Balance June 30, 2004
<b>Governmental Activities</b>				
Nondepreciable capital assets:				
Land	\$ 66,207,419	\$ 340,180	\$ -	\$ 66,547,599
Construction in progress	101,449,370	82,439,873	88,600,498	95,288,745
Total nondepreciable capital assets	<u>167,656,789</u>	<u>82,780,053</u>	<u>88,600,498</u>	<u>161,836,344</u>
Depreciable capital assets:				
Buildings and improvements	1,410,935,727	75,631,835	1,306,909	1,485,260,653
Site improvements	105,692,987	7,595,502	-	113,288,489
Vehicles and equipment	114,298,251	5,725,151	1,718,125	118,305,277
Total depreciable capital assets	<u>1,630,926,965</u>	<u>88,952,488</u>	<u>3,025,034</u>	<u>1,716,854,419</u>
Less accumulated depreciation for:				
Buildings and improvements	471,288,847	34,313,634	1,142,061	504,460,420
Site improvements	19,639,012	2,600,978	-	22,239,990
Vehicles and equipment	59,983,063	8,975,253	1,673,844	67,284,472
Total accumulated depreciation	<u>550,910,922</u>	<u>45,889,865</u>	<u>2,815,905</u>	<u>593,984,882</u>
Total depreciable capital assets, net	<u>1,080,016,043</u>	<u>43,062,623</u>	<u>209,129</u>	<u>1,122,869,537</u>
Government activities capital assets, net	<u>\$1,247,672,832</u>	<u>\$125,842,676</u>	<u>\$ 88,809,627</u>	<u>1,284,705,881</u>
<b>Business-Type Activities</b>				
Depreciable capital assets:				
Buildings	\$ 17,831	\$ -	\$ -	17,831
Vehicles and equipment	16,171,563	535,784	93,952	16,613,395
Total depreciable capital assets	<u>16,189,394</u>	<u>535,784</u>	<u>93,952</u>	<u>16,631,226</u>
Less accumulated depreciation for:				
Buildings	6,241	1,783	-	8,024
Vehicles and equipment	10,623,103	1,073,835	83,627	11,613,311
Total accumulated depreciation	<u>10,629,344</u>	<u>1,075,618</u>	<u>83,627</u>	<u>11,621,335</u>
Business-type activities capital assets, net	<u>\$ 5,560,050</u>	<u>\$ (539,834)</u>	<u>\$ 10,325</u>	<u>5,009,891</u>
Total MCPS government-wide capital assets				<u>\$ 1,289,715,772</u>

Depreciation expense of MCPS was charged to functions/programs as follows:

Governmental activities:	
Regular instruction	\$ 37,766,348
Special education	229,089
School administration	24,682
Student transportation	6,064,101
Operation of plant	187,857
Maintenance of plant	407,831
Administration	1,165,621
Total depreciation expense-governmental activities	<u>\$ 45,845,529</u>
Business-type activities:	
Food services	\$ 1,070,620
Real estate management	4,998
Total depreciation expense-business type activities	<u>\$ 1,075,618</u>

**D) Interfund Receivables, Payables, and Transfers**

The composition of interfund receivables and payables as of June 30, 2004, is as follows:

Due To Fund	Due From Fund					Total
	General	Solid Waste Activities	Nonmajor Governmental	Internal Service	Fiduciary	
General	\$ -	\$ 1,572	\$ 450	\$ 2,330,725	\$ 3,533,588	\$ 5,866,335
Debt Service	29,434,840	-	1,227,769	-	-	30,662,609
Capital Projects	50,306,373	-	529,998	54,319	54,790	50,945,480
Liquor	-	2,571	-	109,546	90,517	202,634
Solid Waste Activities	-	-	-	36,116	43,193	79,309
Parking Lot Districts	-	809	-	13,981	13,333	28,123
Nonmajor Governmental	9,600,000	203	24,000	927,004	1,346,414	11,897,621
Nonmajor Enterprise	-	-	-	99,922	145,206	245,128
Internal Service	369,000	-	-	95,705	86,921	551,626
Fiduciary	-	-	-	1,008	488	1,496
Total	<u>\$ 89,710,213</u>	<u>\$ 5,155</u>	<u>\$ 1,782,217</u>	<u>\$ 3,668,326</u>	<u>\$ 5,314,450</u>	<u>\$ 100,480,361</u>

Included in the amounts presented above are the following short-term loans from the General Fund that were or will be repaid during FY05:

- \$30.5 million to the Capital Projects Fund to cover construction payments, due primarily to the timing of reimbursements from Federal, State and other agencies, and to lag time between programming and collection of certain impact taxes;
- \$29.4 million to the Debt Service Fund relating to a debt service payment due on the first day of the next fiscal year, that must be remitted to the County's fiscal agent one working day prior to the debt service due date;
- \$9.6 million to the Mass Transit Facilities Special Revenue Fund, due to the delayed FY04 payment by the State for Ride-On program funding; and
- \$.369 million to the Central Duplicating Internal Service Fund to offset cash deficits.

Remaining balances resulted from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the accounting system, and (3) payments between funds are made.

Interfund transfers for the year ended June 30, 2004, consisted of the following:

Transfers In Fund									
	General	Debt Service	Capital Projects	Solid Waste Activities	Parking Lot Districts	Nonmajor Governmental	Nonmajor Enterprise	Internal Service	Total
Transfers Out Fund									
General	\$ -	\$ 177,932,595	\$ 29,506,722	\$ -	\$36,213,412	\$ 31,243,064	\$ 30,000	\$ 116,423	\$ 275,042,216
Debt Service	-	-	1,083,101	-	-	-	-	-	1,083,101
Liquor	20,501,030	-	-	-	-	-	-	-	20,501,030
Solid Waste Activities	1,371,240	-	-	55,142	-	-	-	-	1,426,382
Parking Lot Districts	371,100	-	83,664	-	-	6,726,284	-	-	7,181,048
Nonmajor Governmental	12,284,700	15,097,286	3,951,459	-	-	383,722	-	652,703	32,369,870
Nonmajor Enterprise	4,199,340	-	-	-	-	-	-	3,423	4,202,763
Total	<u>\$ 38,727,410</u>	<u>\$ 193,029,881</u>	<u>\$ 34,624,946</u>	<u>\$ 55,142</u>	<u>\$36,213,412</u>	<u>\$ 38,353,070</u>	<u>\$ 30,000</u>	<u>\$ 772,549</u>	<u>\$ 341,806,410</u>

Primary activities include:

- Transfers from the General and various non-major governmental funds to the Debt Service Fund to provide funding for debt service principal and interest payments;
- Transfers of current receipt and pay-go funding from the General Fund to the Capital Projects Fund;
- Transfer of Liquor Enterprise Fund profits to the General Fund; and
- Transfer of certain revenues in excess of statutory formulas from the General Fund to the Revenue Stabilization Special Revenue Fund.

Included in the amounts above is \$12,394,890 contributed by the General Fund to the Housing Initiative Special Revenue Fund to provide supplemental funding to the program. Also included above is \$35,990,624 transferred by the General Fund to the Silver Spring Parking Lot District Enterprise Fund in the form of substantial completion of construction of two garages (see Note III-E3).

E) **Leases**

1) **Operating Leases**

The County leases building and office facilities and other equipment under non-cancelable operating leases. Lease agreements typically provide for automatic termination on July 1 of any year in which funds to meet subsequent rental payments are not appropriated. Total costs for operating leases were approximately \$10,265,000 for FY04. Future minimum lease payments under significant non-cancelable operating leases are as follows:

Fiscal Year Ending June 30	
2005	\$ 11,579,000
2006	8,950,000
2007	8,085,000
2008	7,881,000
2009	7,315,000
2010 - 2014	23,107,000
2015 - 2016	<u>1,773,000</u>
Total	<u><u>\$ 68,690,000</u></u>

2) **Capital Lease Receivable**

Pursuant to the issue of the 2002 Lease Revenue Bonds (See Note III-F5), the County is obligated to lease the Shady Grove and Grosvenor Metrorail Garage Projects to WMATA at amounts calculated to be sufficient in both time and amount to pay, when due, the principal of and interest on the bonds. The lease has a term of 22 years ending on June 1, 2024.

Construction of the Shady Grove and Grosvenor garages is complete. The composition of the capital lease receivable is as follows:

	Shady Grove	Grosvenor	Total
Minimum lease payments receivable	\$ 30,057,509	\$ 28,954,482	\$ 59,011,991
Unearned lease income	<u>(11,202,739)</u>	<u>(9,929,252)</u>	<u>(21,131,991)</u>
Net investment in direct financing leases	<u><u>\$ 18,854,770</u></u>	<u><u>\$ 19,025,230</u></u>	<u><u>\$ 37,880,000</u></u>

At June 30, 2004, the minimum future lease payments due under the direct financing capital lease are as follows:

Fiscal Year Ending June 30	
2005	\$ 2,882,005
2006	2,948,005
2007	2,948,961
2008	2,946,711
2009	2,949,399
Later years	44,336,910
Total minimum lease payments	<u>\$ 59,011,991</u>

### 3) Capital Lease Obligations

The County has entered into various lease agreements as lessee with the Montgomery County Revenue Authority (MCRA) for financing the construction or acquisition of certain County facilities. These lease agreements qualify as capital leases for accounting purposes and, therefore, have been recorded at the present value of their future minimum lease payments as of the inception dates of the leases.

The assets acquired through MCRA capital leases are as follows:

Land	\$ 13,449,033
Land improvements	182,516
Buildings	23,429,646
Furniture, fixtures, equipment and machinery	159,291
Subtotal	37,220,486
Less accumulated depreciation	(13,279,627)
Total asset value under capital leases	<u>\$ 23,940,859</u>

The future minimum lease obligations and the net present value of these minimum lease payments as of June 30, 2004, are as follows:

Fiscal Year Ending June 30	
2005	\$ 2,834,660
2006	2,799,872
2007	2,769,419
2008	2,748,386
2009	2,365,739
2010-2014	8,199,519
2015-2019	1,922,600
Total minimum lease payments	23,640,195
Less: amount representing interest	(5,620,195)
Present value of minimum lease payments	<u>\$ 18,020,000</u>

The County has also entered into a lease agreement as lessee with MCRA to lease from MCRA the Montgomery County Conference Center. The construction of the Conference Center is being funded through the issuance of lease revenue bonds by MCRA. The Maryland Stadium Authority (MSA) is also participating in financing the construction through the issuance of long-term debt. The County will recognize the MSA contribution as revenue when the Conference Center is opened. The ownership of the Conference Center will transfer to the County at the end of the MCRA lease term. Bond funded costs incurred as of year-end totaling \$5,216,711 are recorded as construction-in-progress. Since construction of the Conference Center is not yet complete, the asset and liability presented in the Statement of Net Assets do not equal the total present value of minimum lease payments presented below.

	Fiscal Year Ending June 30
2005	\$ 995,253
2006	994,853
2007	993,853
2008	997,253
2009	993,764
2010-2014	4,974,774
2015-2019	4,979,520
2020-2023	3,982,500
Total minimum lease payments	<u>18,911,770</u>
Less: amount representing interest	<u>(7,421,770)</u>
Present value of minimum lease payments	<u>\$11,490,000</u>

The County has also entered into a lease agreement as lessee with MCRA to lease from MCRA the Germantown Indoor Swim Center. The construction of the Germantown Swim Center is being funded through the issuance of lease revenue bonds by MCRA. The ownership of the Germantown Swim Center will transfer to the County at the end of the MCRA lease term. Bond funded costs incurred as of year-end totaling \$1,574,258 are recorded as construction-in-progress. Since construction of the Germantown Swim Center is not yet complete, the asset and liability presented in the Statement of Net Assets do not equal the total present value of minimum lease payments presented below.

	Fiscal Year Ending June 30
2005	\$ 1,855,221
2006	1,833,075
2007	1,833,825
2008	1,832,075
2009	1,834,950
2010-2014	9,173,300
2015-2019	9,171,100
Total minimum lease payments	<u>27,533,546</u>
Less: amount representing interest	<u>(7,938,546)</u>
Present value of minimum lease payments	<u>\$19,595,000</u>

The County has entered into a lease agreement as lessee with the Maryland Economic Development Corporation (MEDCO) to lease from MEDCO the Town Square Garage 61 and Wayne Avenue Garages, located in the Silver Spring Parking Lot District (SSPLD). The construction of these garages is being funded through the issuance of lease revenue bonds by MEDCO. The ownership of the garages

will transfer to the County at the end of the lease term. Although this capital lease is a general governmental obligation, the asset is reflected in the SSPLD, as required by law. This transaction has been reflected as a transfer from the General Fund (where it is offset by other financing sources – financing under capital lease) to the SSPLD, since any amounts that ultimately may be repaid by the SSPLD are not expected to be repaid within a reasonable time.

The assets acquired through this capital lease are as follows:

	<u>Town Square</u>	<u>Wayne Avenue</u>	<u>Total</u>
Buildings	\$ 24,409,836	\$ 25,976,677	\$ 50,386,513
Less accumulated depreciation	-	(72,157)	(72,157)
Total asset value under capital leases	<u>\$ 24,409,836</u>	<u>\$ 25,904,520</u>	<u>\$ 50,314,356</u>

The future minimum lease obligations and the net present value of these minimum lease payments as of June 30, 2004, are as follows:

<u>Fiscal Year Ending June 30</u>	<u>Town Square</u>	<u>Wayne Ave</u>	<u>Total</u>
2005	\$ 2,488,101	\$ 3,739,600	\$ 6,227,701
2006	2,485,201	3,373,788	5,858,989
2007	2,485,804	3,376,563	5,862,367
2008	2,482,246	3,108,763	5,591,009
2009	2,477,591	3,075,925	5,553,516
2010-2014	12,329,823	15,495,288	27,825,111
2015-2017	7,337,867	9,300,361	16,638,228
Total minimum lease payments	32,086,633	41,470,288	73,556,921
Less: amount representing interest	(7,076,633)	(10,440,288)	(17,516,921)
Present value of minimum lease payments	<u>\$ 25,010,000</u>	<u>\$ 31,030,000</u>	<u>\$ 56,040,000</u>

#### **F) Long-Term Debt**

##### **PRIMARY GOVERNMENT**

#### **1) General Obligation Bonds Payable**

General obligation bonds are authorized, issued, and outstanding for the following purposes: (1) General County Facilities, (2) Roads and Storm Drainage, (3) Parks, (4) Public Schools, (5) Community College, (6) Consolidated Fire Tax District, (7) Mass Transit Facilities, (8) Public Housing Facilities, and (9) Parking Facilities. All bonds are valid and legally binding general obligations of the County, and constitute an irrevocable pledge of its full faith and credit and unlimited taxing power. Such bonds are payable from ad valorem taxes, unlimited as to rate or amount, on all real, tangible personal, and certain intangible property that is subject to taxation at full rates for local purposes in the County.

General obligation bonds that are reported in the Solid Waste Activities Enterprise Fund are payable first from revenues of that fund.



Proceeds from general obligation bonds for public schools and the community college are appropriated by the County Council to MCPS and MCC (component units), respectively, and remitted to such component units by the County. For GAAP purposes, proceeds from debt issuance for these purposes and any related expenditures incurred and reimbursed to the component units are reflected as other financing sources and expenditures, respectively, in the accompanying fund financial statements. These amounts are not budgeted by the County since this activity is appropriated for budget purposes to the component units. Any general obligation bond proceeds, not yet expended by the component units at year end, is reflected as Reserved Fund Balance of the Capital Projects Fund.

On July 3, 2003, Montgomery County Government issued \$49,505,000 in general obligation refunding bonds dated May 1, 2003. These bonds were issued with a true interest cost of 2.29%, to current refund \$51,905,000 of general obligation (GO) refunding bonds that were previously issued. A detailed listing of these refunded bonds is as follows:

	<u>Dated Date</u>	<u>Original Maturity</u>	<u>True Interest Cost</u>	<u>Originally Issued</u>	<u>Years Refunded</u>	<u>Amount Refunded</u>
GO Refunding Bonds	8/15/93	1994-11	4.9908%	\$ 60,005,000	2004-11	\$ 51,905,000

The net proceeds of the general obligation refunding bonds were applied immediately to redeem the old debt.

The reacquisition price exceeded the net carrying amount of the old debt by \$2,168,409. This amount is being netted against the new debt and amortized over the remaining life of the new debt.

<u>Fiscal Year</u>	<u>Refunded Debt Service Requirements</u>	<u>Refunding Debt Service Requirements</u>	<u>Debt Service Savings</u>
2004	\$ 2,524,570	\$ 998,963	\$ 1,525,607
2005	9,505,235	6,420,925	3,084,310
2006	9,099,755	9,095,788	3,967
2007	8,685,850	8,683,600	2,250
2008	8,268,795	8,268,300	495
2009	7,853,625	7,853,625	-
2010	7,438,750	7,438,750	-
2011	7,022,750	7,022,750	-
2012	3,602,875	3,602,875	-
Total	<u>\$ 64,002,205</u>	<u>\$ 59,385,576</u>	<u>\$ 4,616,629</u>

The present value of the above debt service savings (or economic gain) is \$4,230,387.

In January 1998, \$64,500,000 in general obligation bonds, which mature in FY07 and beyond, were defeased. In November 2001, \$143,000,000 in general obligation bonds, which mature in FY09 and beyond, were defeased. In November 2002, \$95,750,000 in general obligation bonds, which mature in FY07 and beyond, were defeased. These defeasances were affected by placing the proceeds of general obligation refunding bonds in an irrevocable trust to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and the liability for the defeased bonds are not included in these financial statements. As of June 30, 2004, \$30,000,000, \$122,250,000, and \$50,750,000 respectively, in general obligation bonds referred to above are considered to be defeased.

General obligation bond issues outstanding as of June 30, 2004, are as follows:

Dated Date	Maturity	Interest Rate	Originally Issued	Balance June 30, 2004	Unamortized Premium **	Unamortized		Carrying Value June 30, 2004
						Deferred Difference		
05/01/85	1986-05	7.6 - 8.6	\$ 65,000,000	\$ 3,250,000	\$ -	\$ -		\$ 3,250,000
04/01/86	1987-06	5.8 - 6.3	50,000,000	5,000,000	-	-		5,000,000
07/01/92 *	1993-10	2.75 - 5.8	273,038,054	122,063,054	-	-		122,063,054
10/01/93	1994-13	4.4 - 4.9	100,000,000	5,000,000	-	-		5,000,000
10/01/94	1995-08	5.2 - 6.125	100,000,000	10,000,000	-	-		10,000,000
03/15/96	1997-16	5.1 - 5.5	120,000,000	18,000,000	-	-		18,000,000
04/15/97	1998-17	5.0 - 5.375	115,000,000	40,250,000	-	-		40,250,000
01/01/98 *	2003-15	3.9 - 5.25	69,510,000	68,735,000	-	-		68,735,000
04/01/98	1999-18	4.875	115,000,000	69,000,000	-	-		69,000,000
04/01/99	2000-19	4.0 - 5.0	120,000,000	84,000,000	-	-		84,000,000
01/01/00	2001-20	5.0 - 6.0	130,000,000	52,000,000	-	-		52,000,000
02/01/01	2002-21	4.0 - 5.0	140,000,000	119,000,000	-	-		119,000,000
11/15/01 *	2003-19	3.6 - 5.25	146,375,000	144,530,000	6,908,557	(8,850,139)		142,588,418
02/01/02	2003-22	3.0 - 5.0	160,000,000	144,000,000	2,366,483	-		146,366,483
11/15/02 *	2005-13	2.75 - 5.25	93,595,000	93,595,000	7,701,012	(5,821,794)		95,474,218
05/01/03	2004-23	1.5 - 4.0	155,000,000	147,250,000	1,253,153	-		148,503,153
05/01/03*	2004-11	2.0 - 5.0	49,505,000	49,505,000	3,699,762	(1,674,879)		51,529,883
03/15/04	2005-24	3.0 - 5.0	154,600,000	154,600,000	10,482,033	-		165,082,033
Total			<u>\$ 2,156,623,054</u>	<u>\$ 1,329,778,054</u>	<u>\$ 32,411,000</u>	<u>\$ (16,346,812)</u>		<u>\$ 1,345,842,242</u>

\* Issue represents refunding bonds.

\*\* GAAP require amortization of premiums and issue costs to occur prospectively, beginning with the year of implementation.

As a result, unamortized premiums and issue costs for issues prior to FY02, are not reflected above.

Changes in general obligation bonds during FY04 are as follows:

	Balance July 1, 2003	Bonds Issued	Bonds Retired	Bonds Refunded	Balance June 30, 2004
Governmental Activities:					
General County	\$ 177,915,548	\$ 52,438,619	\$ 14,839,952	\$ 5,390,135	\$ 210,124,080
Roads and Storm Drainage	334,032,753	41,426,745	31,298,406	13,974,424	330,186,668
Parks	36,603,112	12,126,734	3,522,622	1,916,491	43,290,733
Public Schools	661,955,525	88,433,689	53,949,434	26,870,820	669,568,960
Community College	40,335,478	4,813,862	3,021,091	119,780	42,008,469
Consolidated Fire Tax District	18,028,437	1,108,912	1,438,810	638,830	17,059,709
Mass Transit	17,881,681	3,756,439	2,310,864	2,994,520	16,332,736
Public Housing	1,348,138	-	249,570	-	1,098,568
	<u>1,288,100,672</u>	<u>204,105,000</u>	<u>110,630,749</u>	<u>51,905,000</u>	<u>1,329,669,923</u>
Business-Type Activities/Enterprise Funds:					
Solid Waste Activities:					
General County	192,382	-	84,251	-	108,131
	<u>192,382</u>	<u>-</u>	<u>84,251</u>	<u>-</u>	<u>108,131</u>
Total	<u>\$ 1,288,293,054</u>	<u>\$ 204,105,000</u>	<u>\$ 110,715,000</u>	<u>\$ 51,905,000</u>	<u>\$ 1,329,778,054</u>

For the general obligation bonds carried in the enterprise funds, \$51,619 from the Solid Waste Activities Fund is classified as a current liability.

General obligation bond debt service requirements to maturity are as follows:

Fiscal Year	General Obligation Bond Requirements		
Ending June 30	Principal	Interest	Total
2005	\$ 114,615,000	\$ 61,698,094	\$ 176,313,094
2006	111,320,000	55,941,823	167,261,823
2007	111,210,000	50,706,178	161,916,178
2008	110,940,000	45,424,140	156,364,140
2009	91,131,683	52,869,557	144,001,240
2010-2014	402,186,371	154,279,200	556,465,571
2015-2019	274,015,000	61,323,062	335,338,062
2020-2024	114,360,000	11,876,248	126,236,248
Total	<u>\$1,329,778,054</u>	<u>\$ 494,118,302</u>	<u>\$1,823,896,356</u>

Article 25A, Section 5(P), of the Annotated Code of Maryland, authorizes borrowing of funds and issuance of bonds to a maximum of 6 percent of the assessable basis of real property and 15 percent of the assessable basis of personal property and operating real property. The legal debt margin as of June 30, 2004, is \$4,469,301,580.

General obligation bonds authorized and unissued as of June 30, 2004, are as follows:

Purpose	Authority		Amount	Amount Unissued
	Chapter	Act		
General County, Parks, and Consolidated Fire Tax District	22	2000	\$ 78,300,000	\$ 62,090,000
	17	2001	35,200,000	35,200,000
	21	2002	4,700,000	4,700,000
	17	2003	63,600,000	63,600,000
			<u>181,800,000</u>	<u>165,590,000</u>
Roads and Storm Drainage	22	2000	77,600,000	44,910,000
	17	2001	10,630,000	10,630,000
	21	2002	34,800,000	34,800,000
	17	2003	1,700,000	1,700,000
			<u>124,730,000</u>	<u>92,040,000</u>
Public Schools and Community College	17	2001	159,755,000	3,268,000
	21	2002	104,800,000	104,800,000
	17	2003	52,400,000	52,400,000
			<u>316,955,000</u>	<u>160,468,000</u>
Mass Transit	22	2000	1,400,000	105,000
	17	2001	6,700,000	6,700,000
	21	2002	1,600,000	1,600,000
	17	2003	900,000	900,000
			<u>10,600,000</u>	<u>9,305,000</u>
Public Housing	17	1981	2,650,000	2,590,000
	13	1982	995,000	995,000
	8	1983	230,000	230,000
	20	1985	900,000	900,000
	13	1986	855,000	855,000
			<u>5,630,000</u>	<u>5,570,000</u>
Parking Districts: Silver Spring	9	1983	2,945,000	2,045,000
	6	1984	1,220,000	1,220,000
			<u>4,165,000</u>	<u>3,265,000</u>
Bethesda	19	1981	7,325,000	3,040,000
	14	1982	775,000	775,000
	10	1983	1,050,000	1,050,000
			<u>9,150,000</u>	<u>4,865,000</u>
Total Parking Districts			<u>13,315,000</u>	<u>8,130,000</u>
Total General Obligation Bonds			<u>\$ 653,030,000</u>	<u>\$ 441,103,000</u>

In addition to this bond authority, the County has authority under the provisions of Section 56-13 of the 1994 Montgomery County Code, as amended, to issue County bonds within statutory debt limits to finance approved urban renewal projects.

## 2) Revenue Bonds Payable

Revenue bonds are authorized, issued, and outstanding to provide funds for the Bethesda Parking Lot District, the Silver Spring Parking Lot District, and the Solid Waste Disposal activities. These revenue bonds are secured by pledges of the respective funds.

Revenue bond issues outstanding as of June 30, 2004, are as follows:

	Dated Date	Maturity	Interest Rate	Originally Issued	Balance June 30, 2004	Unamortized Premium/ (Discount)	Unamortized Deferred Difference	Carrying Value June 30, 2004
Parking Revenue Refunding 2002:								
Bethesda Parking Lot District	05/01/02	2003-09	3.00 - 5.00	\$ 14,560,000	\$ 10,230,000	\$ 154,743	\$ (320,415)	\$ 10,064,328
Silver Spring Parking Lot District	05/01/02	2003-09	3.00 - 5.00	12,130,000	8,160,000	147,719	(247,780)	8,059,939
Parking Revenue 2002A:								
Bethesda Parking Lot District	06/01/02	2003-21	3.00 - 4.75	26,000,000	24,005,000	(22,535)	-	23,982,465
Solid Waste Refunding 2003A	04/03/03	2004-13	3.00 - 5.00	31,075,000	28,520,000	1,226,881	(1,343,177)	28,403,704
Total				<u>\$ 83,765,000</u>	<u>\$ 70,915,000</u>	<u>\$ 1,506,808</u>	<u>\$ (1,911,372)</u>	<u>\$ 70,510,436</u>

Changes in revenue bond principal during FY04 are as follows:

	Balance July 1, 2003	Bonds Issued	Bonds Retired	Balance June 30, 2004
Bethesda Parking Lot District	\$ 37,425,000	\$ -	\$ 3,190,000	\$ 34,235,000
Silver Spring Parking Lot District	10,180,000	-	2,020,000	8,160,000
Solid Waste Disposal	31,075,000	-	2,555,000	28,520,000
Total	<u>\$ 78,680,000</u>	<u>\$ -</u>	<u>\$ 7,765,000</u>	<u>\$ 70,915,000</u>

Revenue bond debt service requirements to maturity are as follows:

Fiscal Year Ending June 30	Bethesda Parking Lot District		Silver Spring Parking Lot District	
	Principal	Interest	Principal	Interest
2005	\$ 3,315,000	\$ 1,386,603	\$ 2,110,000	\$ 307,588
2006	3,430,000	1,282,103	2,180,000	244,288
2007	3,550,000	1,168,028	2,265,000	173,437
2008	2,595,000	1,043,778	780,000	60,187
2009	2,730,000	930,678	825,000	30,937
2010-2014	6,540,000	3,605,228	-	-
2015-2019	8,200,000	2,082,063	-	-
2020-2021	3,875,000	278,349	-	-
Total	<u>\$34,235,000</u>	<u>\$ 11,776,830</u>	<u>\$ 8,160,000</u>	<u>\$ 816,437</u>

Fiscal Year Ending June 30	Solid Waste Disposal		Total Revenue Bond Requirements		
	Principal	Interest	Principal	Interest	Total
2005	\$ 2,835,000	\$ 1,177,350	\$ 8,260,000	\$ 2,871,541	\$ 11,131,541
2006	2,920,000	1,092,300	8,530,000	2,618,691	11,148,691
2007	3,005,000	1,004,700	8,820,000	2,346,165	11,166,165
2008	3,160,000	854,450	6,535,000	1,958,415	8,493,415
2009	3,255,000	751,750	6,810,000	1,713,365	8,523,365
2010-2014	13,345,000	1,502,750	19,885,000	5,107,978	24,992,978
2015-2019	-	-	8,200,000	2,082,063	10,282,063
2020-2022	-	-	3,875,000	278,349	4,153,349
Total	<u>\$28,520,000</u>	<u>\$ 6,383,300</u>	<u>\$ 70,915,000</u>	<u>\$ 18,976,567</u>	<u>\$ 89,891,567</u>

Revenue bonds authorized and unissued as of June 30, 2004, are as follows:

Purpose	Resolution Number	Year	Amount Authorized	Amount Unissued
Parking Lot Districts	11-1383	1989	\$ 51,163,000	\$ 42,088,000
Parking Lot Districts	14-921	2001	35,000,000	9,000,000
Solid Waste Disposal	12-1010	1993	<u>56,935,000</u>	<u>6,255,000</u>
Total			<u>\$143,098,000</u>	<u>\$ 57,343,000</u>

Restricted assets related to these revenue bonds, classified as “Investments” or “Equity in Pooled Cash and Investments” for statement of net asset purposes, include the following:

Purpose	Bethesda Parking Lot District	Silver Spring Parking Lot District	Solid Waste Disposal
Operation and Maintenance Account - Available to pay current expenses	\$ 867,848	\$ 983,105	\$ -
Debt Service Account - Used to pay debt service on bonds	391,800	201,466	-
Debt Service Reserve Account (including accrued interest) - Available to pay debt service on bonds if there is insufficient money available in the Debt Service Account	-	-	3,123,233
Renewal and Renovation Account - Available for payment of renewals, replacements, renovations, and unusual and extraordinary repairs	1,500,000	1,500,000	2,224,900
Rate Covenant Cash Reserve - Available to fund operating activities for a minimum of three months	-	-	23,344,185
Rate Stabilization Account - In case of short-term extraordinary expenses	-	-	6,910,110
Total	<u>\$ 2,759,648</u>	<u>\$ 2,684,571</u>	<u>\$ 35,602,428</u>

In lieu of Debt Service Reserve Accounts, the 2002 Series Parking Refunding Bonds and the 2002 Series A Parking Revenue Bonds are being secured with a municipal bond insurance policy. The County is in compliance with all significant financial bond covenants.

### 3) **Bond Anticipation Notes Payable**

Commercial paper bond anticipation notes (BANs) are authorized, issued, and outstanding as financing sources for capital construction and improvements. Changes in BANs during FY04 are as follows:

	Balance July 1, 2003	BANs Issued	BANs Retired	Balance June 30, 2004
BAN Series 2002-B	\$ 45,000,000	\$ -	\$ 45,000,000	\$ -
BAN Series 2002-C	80,000,000	-	80,000,000	-
BAN Series 2002-D	-	75,000,000	40,000,000	35,000,000
BAN Series 2002-E	-	115,000,000	-	115,000,000
Total	<u>\$ 125,000,000</u>	<u>\$ 190,000,000</u>	<u>\$ 165,000,000</u>	<u>\$ 150,000,000</u>

BAN Notes, Series 2002-B and Series 2002-C, totaling \$125,000,000 were retired on April 8, 2004 in the amounts of \$45,000,000, and \$80,000,000 respectively with proceeds from general obligation bonds dated March 15, 2004. A portion of BAN Notes, Series 2002-D, totaling \$75,000,000 was retired on April 8, 2004 in the amount \$40,000,000 with proceeds from general obligation bonds dated March 15, 2004.

The interest rate changes based on market conditions. During FY03, the rate of interest varied from .72 to 1.15 percent. Interest earned on BAN proceeds totaled \$515,058 during FY04, which was accounted for in the Debt Service Fund.

BANs totaling \$190 million were issued during FY04 at varying maturities to a maximum of 270 days, under a program whose authority was adopted on June 11, 2002, and was amended on July 16, 2002 and July 29, 2003, to consolidate additional authority to borrow money and incur indebtedness. The County reissued the notes upon maturity and will continue to do so, until they are replaced with long-term bonds. The County will issue long-term bonds in FY05, and intends to use the proceeds to replace a portion of the \$150 million in BANs outstanding at June 30, 2004. In connection with these BANs, the County entered into a line of credit agreement on June 15, 2002, with Toronto-Dominion Bank, acting through its Houston agency, under which the County may borrow, on a revolving basis, up to \$200 million to pay the principal on the notes, and up to \$14.8 million to pay the interest. Any principal advances under the line of credit must be repaid in semi-annual installments over five years after the advance occurs. No amounts were advanced against this line of credit. Because the County entered into a financing agreement that ensures the BANs can be refinanced on a long-term basis, these BANs are classified as noncurrent liabilities at year-end.

Per Resolution No. 14-1307 dated June 11, 2002, Resolution No. 14-1374 dated July 16, 2002, and Resolution No. 15-318 dated July 29, 2003, the amount of BANs authorized and unissued as of June 30, 2004, is \$280,703,000.

#### 4) Certificates of Participation

In June 2001, the County issued Certificates of Participation (certificates) for its Equipment Acquisition Program dated June 1, 2001, in the amount of \$54.66 million. The certificates represent proportionate interests in a Conditional Purchase Agreement (CPA) between the County, as purchaser, and Wachovia Bank (formerly First Union National Bank), as seller, for the acquisition of certain equipment to be used in the public safety and public transportation programs of the County. The CPA requires the County, as purchaser, to make periodic purchase installments in amounts sufficient to pay the scheduled debt service on the certificates until the County pays the entire price necessary to acquire the equipment, which shall be equal to the amount necessary to pay the principal and interest on all outstanding certificates. The ability of the County, as purchaser, to pay the purchase installments due under the CPA depends upon sufficient funds being appropriated each year by the County Council for such purpose. The County may terminate the CPA at the end of the last fiscal year or earlier date for which an appropriation is available if sufficient funds are not appropriated for any fiscal year. The County Council is under no obligation to make any appropriation with respect to the CPA. The CPA is not a general obligation of the County and does not constitute an indebtedness of the County within the meaning of any constitutional or statutory limitation or a charge against the general credit or taxing powers of the County.

The certificates were issued at interest rates ranging from 4 to 4.5 percent and have a maturity schedule as follows:

Fiscal Year Ending June 30	Certificates of Participation		
	Principal	Interest	Total
2005	\$ 9,435,000	\$ 841,087	\$ 10,276,087
2006	9,780,000	440,100	10,220,100
Total	<u>\$ 19,215,000</u>	<u>\$ 1,281,187</u>	<u>\$ 20,496,187</u>



## 5) Lease Revenue Bonds

In June 2002, the County issued Lease Revenue Bonds dated June 1, 2002, in the amount of \$37.88 million for its Metrorail garage projects. These bonds were issued to finance the costs of the planning, design, construction, and placing into commercial operation, of garages at the Shady Grove and Grosvenor Metrorail Stations. The County has leased these metrorail garage projects to the Washington Metropolitan Area Transit Authority (WMATA). The bonds are payable from and secured by a pledge of revenues from WMATA's lease payments and certain reserve funds. WMATA's obligation to make payments under the leases are payable solely from amounts held in a Surcharge Reserve Account which is funded by revenues from a surcharge on the parking facilities. WMATA is not obligated to pay the principal or interest on the bonds. In the event that the County's Reserve Subfund is less than the required amount, the County Executive is obligated to include, in the next subsequent appropriation request to the County Council, a request for sufficient resources to reimburse the Reserve Subfund. The Lease Revenue Bonds are not a debt of the County within the meaning of any constitutional, compact, charter or statutory debt limit or restriction. Neither the faith and credit nor the taxing power of the County is pledged to the payment of the bonds.

Lease Revenue Bonds outstanding as of June 30, 2004, are as follows:

	Dated			Originally	Balance	Unamortized	Carrying Value
	Date	Maturity	Interest Rate	Issued	June 30, 2004	Premium	June 30, 2004
Lease Revenue Bonds	06/01/02	2005-24	4.6064%	\$ 37,880,000	\$ 37,880,000	\$ 134,879	\$ 38,014,879

Lease revenue bond debt service requirements to maturity are as follows:

Fiscal Year	Lease Revenue Bond Requirements		
Ending June 30	Principal	Interest	Total
2005	\$ 1,200,000	\$ 1,682,005	\$ 2,882,005
2006	1,305,000	1,643,005	2,948,005
2007	1,350,000	1,598,961	2,948,961
2008	1,395,000	1,551,711	2,946,711
2009	1,450,000	1,499,399	2,949,399
2010-2014	8,190,000	6,564,130	14,754,130
2015-2019	10,220,000	4,638,280	14,858,280
2020-2024	12,770,000	1,954,500	14,724,500
Total	<u>\$ 37,880,000</u>	<u>\$ 21,131,991</u>	<u>\$ 59,011,991</u>

## 6) State MICRF Loan

In September 1998, the County entered into a \$1,800,000 long-term loan agreement with the Maryland Industrial and Commercial Redevelopment Fund (MICRF). In accordance with terms of the loan, the proceeds have been reloaned to a private corporation for purposes of renovation and relocation of facilities to the County. After fulfilling the necessary requirements, \$150,000 of the loan was converted to a State grant during FY02. Although it is expected that the County's loan with MICRF will be repaid by loan repayments received from the private user, through the Economic Development Special Revenue Fund, the County's loan is a full faith and credit obligation of the County. The principal amount payable at June 30, 2004, for this loan is \$1,270,924.

**7) Taxable Term Loans**

During FY04, the County entered into two taxable term loan agreements with Wachovia Bank. The first term loan of \$4,000,000, which commenced on February 2, 2004, was used to finance the purchase of the Kay property in Germantown, which will be used for development of a biotechnology and information technology business park. The repayment period is 5 years, requiring semi-annual payments of principal and interest at 3.24 percent. The second term loan of \$1,332,000, which commenced on March 30, 2004, was used to purchase kitchen and audio-visual equipment to be used in the County's conference center project which opened in November 2004. The repayment period is 5 years, requiring semi-annual payments of principal and interest at 2.91 percent.

**8) HUD Loan**

During 2002, the County Council authorized the Department of Housing and Community Affairs (DHCA) to participate in the HUD Section 108 program for the purpose of acquiring twenty-one units at the Chelsea Tower which provides affordable housing for income qualified persons. On July 16, 2003, the County signed a loan agreement with HUD in the amount of \$870,000. The County subsequently received approval from the County Council to disburse and re-loan these funds to HOC. HOC will repay the County, through the Housing Initiative Special Revenue Fund, the principal of \$870,000 with interest thereon on a semi-annual basis at 4.59 percent over a twenty year period, which is consistent with the HUD repayment terms.

**9) Due to Component Unit – HOC Loan**

On March 31, 2003, with the assistance of HOC, the County acquired the former Econo Lodge in Gaithersburg. The property will be converted to a facility providing housing for eligible families and individuals. A portion of the funding for the acquisition, \$2.55 million, came from the HOC MPDU/Property Acquisition Fund. The County used this interim financing source until a permanent financing source could be identified. The County will repay HOC, and therefore the Fund, by July 2005.

## 10) Changes in Long-Term Liabilities

Long-term liability activity for the year ended June 30, 2004, was as follows:

	Balance July 1, 2003	Additions	Reductions	Balance June 30, 2004	Due within one year
<b>Governmental Activities</b>					
Bonds and Notes Payable:					
General obligation bonds	\$ 1,288,100,672	\$ 204,105,000	\$ (162,535,749)	\$ 1,329,669,923	\$ 114,563,381
Bond anticipation notes	125,000,000	190,000,000	(165,000,000)	150,000,000	150,000,000
Lease revenue bonds	37,880,000	-	-	37,880,000	1,200,000
State MICRF loan	1,341,206	-	(70,282)	1,270,924	73,049
Equipment notes	1,088,738	-	(215,571)	873,167	222,049
Taxable term loans	-	5,332,000	-	5,332,000	1,017,242
HUD loan	-	870,000	-	870,000	43,000
Subtotal	1,453,410,616	400,307,000	(327,821,602)	1,525,896,014	267,118,721
Add remaining original issue premium	20,968,441	15,526,304	(3,948,866)	32,545,879	-
Less deferred amount on refundings	(16,755,342)	(2,168,409)	2,576,939	(16,346,812)	-
Total Bonds and Notes Payable	1,457,623,715	413,664,895	(329,193,529)	1,542,095,081	267,118,721
Other Liabilities:					
Certificates of participation	31,570,000	-	(12,355,000)	19,215,000	9,435,000
Due to component units - HOC loan	2,550,000	-	-	2,550,000	-
Compensated absences	45,745,947	36,332,140	(34,312,511)	47,765,576	35,824,182
Capital leases	31,201,945	42,781,593	(4,810,000)	69,173,538	7,135,000
Claims and judgments	6,974,000	-	(1,728,000)	5,246,000	-
Total Other Liabilities	118,041,892	79,113,733	(53,205,511)	143,950,114	52,394,182
Governmental Activities Long-Term Liabilities	<u>\$ 1,575,665,607</u>	<u>\$ 492,778,628</u>	<u>\$ (382,399,040)</u>	<u>\$ 1,686,045,195</u>	<u>\$ 319,512,903</u>
<b>Business-Type Activities</b>					
General Obligation Bonds:					
Solid waste disposal	\$ 192,382	\$ -	\$ (84,251)	\$ 108,131	\$ 51,619
Revenue Bonds:					
Parking revenue refunding bonds	22,615,000	-	(4,225,000)	18,390,000	4,415,000
Parking revenue bonds	24,990,000	-	(985,000)	24,005,000	1,010,000
Solid waste disposal revenue refunding bonds	31,075,000	-	(2,555,000)	28,520,000	2,835,000
Subtotal	78,872,382	-	(7,849,251)	71,023,131	8,311,619
Add remaining original issue premium	1,942,485	-	(413,142)	1,529,343	-
Less remaining original issue discount	(24,887)	-	2,352	(22,535)	-
Less deferred amount on refundings	(2,474,465)	-	563,093	(1,911,372)	-
Total General Obligation and Revenue Bonds	78,315,515	-	(7,696,948)	70,618,567	8,311,619
Other Liabilities:					
Compensated absences	3,388,912	247,168	(38,981)	3,597,099	2,697,826
Notes payable	800,000	-	-	800,000	800,000
Landfill closure costs	23,854,523	346,000	(1,742,000)	22,458,523	1,115,000
Total Other Liabilities	28,043,435	593,168	(1,780,981)	26,855,622	4,612,826
Business-Type Activities Long-Term Liabilities	<u>\$ 106,358,950</u>	<u>\$ 593,168</u>	<u>\$ (9,477,929)</u>	<u>\$ 97,474,189</u>	<u>\$ 12,924,445</u>

Internal service funds predominantly serve the governmental funds. Accordingly, long-term liabilities for them are included as part of the above totals for governmental activities. At year-end, \$1,245,546 (\$934,159 due within one year, and \$311,387 due in more than one year) of internal service fund compensated absences are included in the above amounts. Also, for the governmental activities, compensated absences and claims and judgments are generally liquidated by the governmental fund to which the liability relates.

## **11) Conduit Debt Obligations**

Conduit debt obligations refer to certain limited-obligation revenue bonds or similar debt instruments issued by the County for the purpose of providing capital financing for a third party that is not part of the County's reporting entity (see Note I-A). From time to time, the County has issued Industrial Revenue Bonds and Economic Development Revenue Bonds for the purposes of financing or refinancing costs of acquiring facilities for third party facility users or of refunding outstanding bonds. Facility users may be individuals, public or private corporations, or other entities. The bonds are secured by the facilities financed and are payable from the revenues or monies to be received by the County under loan agreements with the facility users and from other monies made available to the County for such purpose. The bonds do not constitute a debt or charge against the general credit or taxing powers of the County, the State, or any political subdivision thereof. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements.

As of June 30, 2004, there were 42 issues of Industrial Revenue Bonds and Economic Development Revenue Bonds outstanding. Of these, 28 were issued prior to July 1, 1996. The aggregate principal amount payable at June 30, 2004, for bonds issued prior to July 1, 1996, could not be determined; however, their original issue amounts totaled \$218,937,000. The principal amount payable at June 30, 2004, for bonds issued after July 1, 1996, totaled \$269,052,974.

## **12) Special Taxing Districts**

The County has three development districts: Kingsview Village Center, West Germantown, and Clarksburg Town Center. These development districts were created in accordance with Chapter 14 of the Montgomery County Code, Montgomery County Development District Act enacted in 1994. The creation of these districts allows the County to provide financing, refinancing, or reimbursement for the cost of infrastructure improvements necessary for the development of land in areas with high priority for new development or redevelopment.

Pursuant to Chapter 14, special taxes and/or assessments may be levied to fund the costs of bonds or other obligations issued on behalf of the respective district. Any bond issued under Chapter 14 is not an indebtedness of the County within the meaning of Section 312 of the Charter. Additionally, any bond issued must not pledge the full faith and credit of the County and must state that the full faith and credit is not pledged to pay its principal, interest, or premium, if any. Any bonds issued are not considered liabilities of the County and are not reported in the County's financial statements.

In December 1999, the County issued \$2.4 million in special obligation bonds for the Kingsview Village Center Development District. Special taxes and assessment were levied beginning in FY01 to repay this debt. In April 2002, the County issued two series of special obligation bonds for the West Germantown Development District. The County issued \$11,600,000 of Senior Series 2002A bonds and \$4,315,000 of Junior Series 2002B bonds to finance the construction of infrastructure in the development district. Special taxes and assessments were levied beginning in FY03 to repay this debt. Bonds have not yet been issued for the Clarksburg Town Center development district.

Pursuant to Section 2.07 (g) of the West Germantown Bond Indenture, upon the satisfaction of certain assessed value requirements which were met, the holders of the Junior Series 2002B bonds have requested that the County issue additional bonds in exchange for the Junior Series 2002B bonds. The additional bonds, which are anticipated to be issued in FY05, will be on a parity with the Series 2002A bonds (i.e., they will be senior lien bonds) and will otherwise have the same terms and conditions as the Series 2002B bonds.

The County has been petitioned by property owners to form two additional development districts in the Clarksburg area, Clarksburg Village and Clarksburg Skylark. These districts are in the evaluation phase.

## COMPONENT UNITS

At June 30, 2004, HOC's noncurrent liabilities are comprised of the following:

	Current	Long-Term	Total
Revenue bonds payable	\$ 27,556,389	\$ 552,789,890	\$ 580,346,279
Capital leases payable	1,589	19,977,946	19,979,535
Notes payable	9,752,460	95,930,212	105,682,672
Total	<u>\$ 37,310,438</u>	<u>\$ 668,698,048</u>	<u>\$ 706,008,486</u>

HOC revenue bonds, which are significant in relation to the total component unit long-term debt, are outstanding as follows:

<u>Purpose</u>	
Multi-Family Mortgage Purchase Program Fund	\$ 356,955,046
Single Family Mortgage Purchase Program Fund	223,391,233
Total	<u>\$ 580,346,279</u>

Interest rates on the HOC Multi-Family and Single Family Mortgage Purchase Program Fund bonds ranged from 1.0 to 11.25 percent and 1.1 to 8.5 percent, respectively, as of June 30, 2004.

Pursuant to Section 2-103 of Article 44A of the Annotated Code of Maryland, the County may, by local law, provide its full faith and credit as guarantee of bonds issued by HOC in principal amount not exceeding \$50,000,000. Section 20-32 of the Montgomery County Code provides the method by which the County has implemented the guarantee. The debt service requirements by fiscal year for the HOC debt guaranteed by the Primary Government are as follows:

Fiscal Year Ending June 30	Guaranteed Revenue Bond Requirements		
	Principal	Interest	Total
2005	\$ 275,000	\$ 576,010	\$ 851,010
2006	290,000	565,542	855,542
2007	300,000	554,542	854,542
2008	310,000	542,798	852,798
2009	325,000	530,498	855,498
2010-2014	1,855,000	2,437,638	4,292,638
2015-2019	-	2,110,312	2,110,312
2020-2024	2,880,000	1,515,067	4,395,067
2025-2029	5,430,000	1,096,852	6,526,852
Total	<u>\$ 11,665,000</u>	<u>\$ 9,929,259</u>	<u>\$ 21,594,259</u>

The total debt service requirements for HOC revenue bonds, which include the portion guaranteed by the Primary Government (presented above), are as follows:

Fiscal Year Ending June 30	Total Revenue Bond Requirements		
	Principal	Interest	Total
2005	\$ 27,556,389	\$ 23,996,655	\$ 51,553,044
2006	9,175,833	23,706,522	32,882,355
2007	10,447,483	23,404,105	33,851,588
2008	10,156,619	23,117,863	33,274,482
2009	12,015,644	22,718,712	34,734,356
2010-2014	58,499,268	108,165,632	166,664,900
2015-2019	51,301,378	98,896,594	150,197,972
2020-2024	67,779,205	89,379,802	157,159,007
2025-2029	125,039,525	76,383,988	201,423,513
2030-2034	124,346,099	29,629,135	153,975,234
2035-2039	46,285,000	10,165,501	56,450,501
2040-2044	32,180,000	5,413,325	37,593,325
2045-2047	9,890,000	308,512	10,198,512
Unamortized Bond Discount	(4,326,164)	-	(4,326,164)
Total	<u>\$ 580,346,279</u>	<u>\$ 535,286,346</u>	<u>\$ 1,115,632,625</u>

Changes in the HOC revenue bonds during FY04 are as follows:

Purpose	Balance July 1, 2003	Bonds Issued *	Bonds Retired	Balance June 30, 2004
Multi-Family Mortgage Purchase Program Fund	\$ 369,301,033	\$ 244,013	\$ 12,590,000	\$ 356,955,046
Single Family Mortgage Purchase Program Fund	258,037,964	105,808,980	140,455,711	223,391,233
Total	<u>\$ 627,338,997</u>	<u>\$ 106,052,993</u>	<u>\$ 153,045,711</u>	<u>\$ 580,346,279</u>

\* Includes accretions and bond discounts.

HOC has issued a number of individual bonds for financing multi-family developments for which HOC has no legal liability for repayment or administration (conduit debt), and accordingly, the bonds are not included in the accompanying financial statements. HOC participates in such issuances in order to increase the availability of affordable housing in the County. The bonds outstanding are summarized below:

Bonds outstanding, July 1, 2003	\$ 314,855,880
Redemptions during the year	15,200,000
New issuances during the year	(711,880)
Bonds outstanding, June 30, 2004	<u>\$ 329,344,000</u>

The County is not liable in any manner for the remaining debt of HOC or any debt of MCPS, MCC, or MCRA. BUPI has no long-term debt.

**G) Segment Information**

The County has issued revenue bonds to finance activities relating to solid waste disposal operations, including recycling, and the Silver Spring and Bethesda Parking Lot districts (PLDs). The Solid Waste Disposal operations and the Silver Spring and Bethesda PLDs are accounted for within the Solid Waste Activities Fund and the Parking Lot Districts Fund, respectively. However, investors in the revenue bonds rely solely on the revenue generated by the individual activities for repayment. Beginning with fiscal year 2004, in the Solid Waste Activities Fund, the Leafing Program has been budgeted separately from Disposal Operations. Revenues from the Leafing Program are still considered to be pledged to pay Solid Waste Disposal Revenue Bonds. Summary financial information for each activity as of and for the year ended June 30, 2004, is presented below:

**Condensed Statements of Net Assets**

	Solid Waste Disposal *	Silver Spring PLD	Bethesda PLD
<b>ASSETS</b>			
Current assets	\$ 51,117,338	\$ 7,948,754	\$ 19,520,711
Due from component units	77,488	-	506,943
Other assets	36,136,758	2,772,153	3,293,755
Capital assets	33,873,366	87,003,001	73,933,203
Total Assets	<u>121,204,950</u>	<u>97,723,908</u>	<u>97,254,612</u>
<b>LIABILITIES</b>			
Current liabilities	13,824,558	2,990,954	4,828,350
Due to other funds	72,162	13,682	12,338
Long-term liabilities	47,069,793	5,977,634	30,756,097
Total Liabilities	<u>60,966,513</u>	<u>8,982,270</u>	<u>35,596,785</u>
<b>NET ASSETS</b>			
Invested in capital assets, net of related debt	5,361,531	78,943,062	39,886,410
Restricted for debt service	35,602,428	2,684,571	2,759,648
Unrestricted	19,274,478	7,114,005	19,011,769
Total Net Assets	<u>\$ 60,238,437</u>	<u>\$ 88,741,638</u>	<u>\$ 61,657,827</u>

**Condensed Statements of Revenues, Expenses, and Changes in Fund Net Assets**

	Solid Waste Disposal *	Silver Spring PLD	Bethesda PLD
<b>OPERATING REVENUES (EXPENSES):</b>			
Operating Revenues:			
Charges for services	\$ 91,690,182	\$ 4,837,098	\$ 7,974,045
Licenses and permits	10,055	-	-
Fines and penalties	7,575	1,608,377	4,818,740
Total Operating Revenues (pledged against bonds)	91,707,812	6,445,475	12,792,785
Depreciation	2,845,133	1,987,254	3,394,701
Other operating expenses	88,366,006	5,443,131	5,160,881
Operating Income (Loss)	496,673	(984,910)	4,237,203
<b>NONOPERATING REVENUES (EXPENSES):</b>			
Property taxes	-	3,599,166	3,586,445
Gain on disposal of capital assets	3,883	2,524,295	-
Investment income	1,204,927	106,792	293,535
Interest expense	(1,352,765)	(449,986)	(1,619,926)
Other revenue	149,156	140,271	555,749
<b>TRANSFERS:</b>			
Transfers in	55,142	36,213,412	-
Transfers out	(1,309,542)	(991,844)	(4,867,051)
Change in Net Assets	(752,526)	40,157,196	2,185,955
Beginning Net Assets	60,990,963	48,584,442	59,471,872
Ending Net Assets	\$ 60,238,437	\$ 88,741,638	\$ 61,657,827

**Condensed Statements of Cash Flows**

	Solid Waste Disposal *	Silver Spring PLD	Bethesda PLD
Net Cash Provided (Used) By:			
Operating activities	\$ 2,776,342	\$ 1,232,639	\$ 7,205,484
Noncapital financing activities	(1,202,938)	2,834,084	(1,281,113)
Capital and related financing activities	(4,695,007)	(1,488,804)	(7,398,632)
Investing activities	1,235,245	106,792	293,535
Net Increase (Decrease)	(1,886,358)	2,684,711	(1,180,726)
Beginning Cash and Cash Equivalents	81,677,605	6,536,133	21,713,786
Ending Cash and Cash Equivalents	\$ 79,791,247	\$ 9,220,844	\$ 20,533,060

\* Includes Solid Waste Leafing

**H) Fund Equity****PRIMARY GOVERNMENT****1) Federal and State Grant Programs**

Included in the financial statements are expenditures and revenues related to Federal and State grant programs for which the County is the grantee. The reserve for encumbrances in the governmental fund types does not include \$3,764,803 of encumbrances related to these grants, since appropriation and spending on such grants is contingent on receipt of the grant funds. When the expenditure occurs in the subsequent year, revenue will be earned based on the grant agreements, and resources will then be made available. The County believes that inclusion of such encumbrances as reserved fund balance would distort the unreserved fund balance.



## 2) Designated Fund Balances

Designated fund balances, which represent amounts appropriated as part of the next year's original budget, where the source of funds is the fund balance as of the end of the current year, and amounts appropriated but unexpended in the Capital Projects Fund, where the source of fund is current receipts in the governmental funds, are comprised of the following:

	General Fund	Special Revenue Funds	Total
Designated for next year's budget	\$ 30,017,660	\$ 16,999,107	\$ 47,016,767
Designated for transfers to Capital Projects Fund	82,361,052	6,126,463	88,487,515
Total	<u>\$112,378,712</u>	<u>\$ 23,125,570</u>	<u>\$ 135,504,282</u>

## COMPONENT UNITS

### Beginning Balance Restatements

As a result of MCC's implementation of GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units*, effective for the fiscal year ended June 30, 2004, the Montgomery Community College Foundation, Inc. (Foundation) is included as a component unit effective July 1, 2003. Net assets of the Foundation as of July 1, 2003, amounted to \$9,461,924. Beginning net assets have also been restated by \$750,000, relating to a previously unrecorded loan.

## I) Significant Transactions with Discretely Presented Component Units

### 1) Operating and Capital Funding

Expenditures incurred for operating and capital funding of discretely presented component units amounted to the following for the year ended June 30, 2004:

	Operating	General Fund Capital *	Total	Capital Projects	Total
MCPS	\$1,133,171,738	\$ 16,450,530	\$1,149,622,268	\$ 94,708,405	\$1,244,330,673
MCC	66,212,701	1,804,397	68,017,098	9,655,259	77,672,357
HOC	4,284,616	323,016	4,607,632	-	4,607,632
Total	<u>\$1,203,669,055</u>	<u>\$ 18,577,943</u>	<u>\$1,222,246,998</u>	<u>\$104,363,664</u>	<u>\$1,326,610,662</u>

\* Represents current receipt and pay-go funding transferred from the General Fund for component units' use towards their capital projects.

For GAAP financial statement reporting purposes, General Fund expenditures incurred for funding of MCPS and MCC are classified as education expenditures; HOC funding is classified under community development and housing.

### 2) Other Transactions

BUPI charges for services revenue includes \$2,527,299 earned under contracts with the County. For capital leases with MCRA, see Note III-E2. For mortgages receivable due from HOC, see Note III-B2.

## NOTE IV. OTHER INFORMATION

### A) Risk Management

The County, for itself and certain component units and other governments, maintains two self-insurance internal service funds. County management believes it is more economical to manage its risks internally and set aside assets for claim settlements in these internal service funds.

One fund is maintained for Liability and Property Coverage under which participants share the costs of workers' compensation; comprehensive general; automobile and professional liability (errors and omissions); property coverage including fire and theft; and other selected areas which require coverage. Commercial insurance is purchased for claims in excess of coverage provided by the self-insurance fund and for other risks not covered by the fund. In addition to all funds of the County, participants in this program include MCPS, HOC, MCC, MCRA, BUPI, M-NCPPC, the City of Rockville, the independent fire/rescue corporations, the Bethesda-Chevy Chase Rescue Squad, the Rockville Housing Enterprises, the Town of Somerset, the Village of Martin's Additions, the City of Gaithersburg, the Village of Drummond, the City of Takoma Park, and the Village of Friendship Heights. The liability for claims with respect to all participants transfers to the self-insurance fund, except for M-NCPPC which retains ultimate liability for its own claims.

The second fund is maintained for Employee Health Benefits under which participants share medical, prescription, dental, vision, and life insurance. While the majority of coverage is self-insured, certain fully insured plan options, including health maintenance organizations (HMO's), are offered to participants. WSTC, BUPI, Montgomery Community Television, the Strathmore Hall Foundation, Inc., and certain employees of the State of Maryland in addition to some of the participants in the Liability and Property Coverage Program, participate in this program.

Both internal service funds use the accrual basis of accounting. Payments to the Liability and Property Coverage Self-Insurance Fund by participants and recognition of the fund's liability for unpaid claims including those incurred but not reported are based on actuarial estimates. For the Employee Health Benefits Fund, charges to participants are based on actuarial estimates. Liabilities are reported when it is probable that a loss has occurred and the amount of that loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported which incorporate incremental claims adjustment expenses incurred only because of the claim, but do not include nonincremental claims adjustment expenses such as internal salary costs. Because actual claims liabilities depend on complex factors such as inflation, changes in legal doctrines, and damage awards, the process used in computing claims liability does not necessarily result in an exact amount. Claims liabilities are reevaluated periodically to take into consideration recently settled claims, the frequency of claims, and other economic and social factors. During the year, there were no significant reductions in commercial insurance coverage in the Liability and Property Coverage Self-Insurance Fund from the prior year. Effective January 1, 2004, the County reduced its commercial insurance coverage in the Employee Health Benefits Self-Insurance Fund by converting one of its two fully insured HMO plans to a self-insured arrangement, with certain insurance coverage for individual claims above \$250,000. For the past three years, no insurance settlements exceeded commercial insurance coverage in either fund.

Changes in the balances of Claims Payable for the self-insurance funds for FY04 and FY03 are as follows:

	Liability and Property Coverage	Employee Health Benefits
Balance July 1, 2002	\$ 50,025,000	\$ 8,297,954
Claims and changes in estimates	26,112,574	84,674,426
Claim payments *	(18,401,574)	(84,144,134)
Balance June 30, 2003	57,736,000	8,828,246
Claims and changes in estimates	27,320,388	96,047,483
Claim payments *	(20,850,388)	(93,404,827)
Balance June 30, 2004 **	<u>\$ 64,206,000</u>	<u>\$ 11,470,902</u>

\* Includes non-monetary settlements.

\*\* Includes incurred but not reported claims of \$33,641,000 and \$11,470,902, for the Liability and Property Coverage and the Employee Health Benefits Self-Insurance Funds, respectively.

## **B) Significant Commitments and Contingencies**

### **1) Landfill**

The County, in its effort to provide for estimated landfill capping and postclosure maintenance costs, accrues such costs and recognizes those costs as expenses as the landfill is utilized. The October 9, 1991 U.S. Environmental Protection Agency (EPA) rule, "Solid Waste Disposal Criteria," established closure requirements for all municipal solid waste landfills (MSWLFs) that receive waste after October 9, 1991. The County has been accruing closure expenses since FY91 in an attempt to match the costs of closure against the revenues associated with the use of the landfill. GASB Statement No. 18, issued in August 1993, expanded the items considered in the original EPA calculation of closure costs. The expanded requirements include postclosure care for thirty years for landfills accepting refuse materials after October 1991. The Oaks Landfill closed on October 22, 1997, and the County began using out-of-County waste hauling during FY98. At the time the landfill was closed, total cumulative capacity used was 6,990,437 tons. The total closure and postclosure costs are estimated at \$53,391,000, which has been fully accrued through June 30, 2004. Of the total amount accrued, \$29,190,477 in actual costs has been paid out in prior years, and \$1,742,000 was paid in FY04, resulting in a net liability of \$22,458,523 at June 30, 2004. The current and non-current portions of the adjusted liability at year-end are estimated at \$1,115,000 and \$21,343,523 respectively. These costs are subject to change based on cost differences, changes in technology, or applications of laws and regulations. The County plans to use primarily operating cash to pay for these closure and postclosure costs as they are incurred in the future.

### **2) Litigation**

In addition to those suits in which claims for liability are adequately covered by insurance, the County is a defendant in various suits involving tort claims, violations of civil rights, breach of contract, inverse condemnation, and other suits arising in the normal course of business. In the opinion of the County Attorney, the estimated liability of the County in the resolution of these cases will not exceed \$7,745,000. Of this amount, \$5,246,000 has been reflected as a liability in the accompanying governmental activities financial statements, as the County's liability on certain claims appears to be probable.

### 3) Grants, Entitlements, and Shared Revenues

The County participates in a number of Federal and State assisted grant, entitlement, and/or reimbursement programs, principal of which are the Community Development Block Grant, the Head Start Grant, Community Mental Health Grant, and the Medical Assistance Grant. These programs are subject to financial and compliance audits by the grantors or their representatives. The audits of most of these programs for, or including, the year-ended June 30, 2004, have not yet been completed. In accordance with the provisions of the Single Audit Act of 1984 and Circular A-133, issued by the U.S. Office of Management and Budget, the County participates in single audits of federally assisted programs. The amount of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although management does not believe amounts ultimately disallowed, if any, would be material.

### 4) Other Commitments

County proprietary funds have entered into contract commitments that remain uncompleted as of year-end. The amount of outstanding commitments at June 30, 2004, are as follows:

<u>Enterprise Funds:</u>	<u>Operating</u>	<u>Capital</u>	<u>Inventory</u>	<u>Total</u>
Major Funds:				
Liquor	\$ 160,287	\$ -	\$ 8,681,523	\$ 8,841,810
Solid Waste Activities:				
Disposal operations	3,531,820	917,459	-	4,449,279
Collection operations	46,317	-	-	46,317
Leafing operations	672	-	-	672
Parking Lot Districts:				
Silver Spring	338,478	2,000,581	-	2,339,059
Bethesda	488,889	13,491,162	-	13,980,051
Wheaton	107,329	346,396	-	453,725
Montgomery Hills	8,615	-	-	8,615
Subtotal	<u>4,682,407</u>	<u>16,755,598</u>	<u>8,681,523</u>	<u>30,119,528</u>
Nonmajor Funds:				
Permitting Services	<u>22,770</u>	<u>-</u>	<u>-</u>	<u>22,770</u>
Subtotal	<u>22,770</u>	<u>-</u>	<u>-</u>	<u>22,770</u>
Total Enterprise Funds	<u>4,705,177</u>	<u>16,755,598</u>	<u>8,681,523</u>	<u>30,142,298</u>
<u>Internal Service Funds:</u>				
Motor Pool	1,918,523	-	5,901,579	7,820,102
Central Duplicating	55,951	-	-	55,951
Liability and Property Coverage Self-Insurance	132,566	-	-	132,566
Employee Health Benefits Self-Insurance	456,713	-	-	456,713
Total Internal Service Funds	<u>2,563,753</u>	<u>-</u>	<u>5,901,579</u>	<u>8,465,332</u>
Total Proprietary Funds	<u>\$ 7,268,930</u>	<u>\$ 16,755,598</u>	<u>\$ 14,583,102</u>	<u>\$ 38,607,630</u>

As of June 30, 2004, the County has \$7,720,000 in outstanding offers of loans and/or grants that have been extended to various companies under its Economic Development Fund programs. To help fund such offers, the designated fund balance of the Economic Development Special Revenue Fund at the end of the year is typically reappropriated in the following year.

**C) Subsequent Events**

On July 13, 2004, the County Council introduced, and subsequently approved, legislation to increase the level of authorized general obligation bond principal by an additional \$273,700,000, effective August 9, 2004.

The County issued \$97,690,000 in general obligation refunding bonds on August 15, 2004, the proceeds of which, along with premium and accrued interest, will refund \$95,750,000 in outstanding general obligation bonds. The bonds were delivered on September 28, 2004. After adjustments, the true interest cost to the County was 3.72 percent and savings of over \$3.3 million will be realized, primarily in fiscal years 2005 through 2009.

The County issued \$4,745,000 in lease revenue bonds (Metrorail Garage Projects) on September 1, 2004, to finance costs of parking structures and related facilities at the Shady Grove and the Grosvenor Metrorail Stations. These bonds supplement the initial County issued lease revenue bonds dated June 1, 2002, in the amount of \$37.88 million for Metrorail garage projects. The bonds were delivered on September 28, 2004.

In August 2004, the Department of Liquor Control executed a contract, valued at \$7,036,193, to replace virtually all of the Liquor Enterprise Fund's information technology systems.

On September 21, 2004, the County issued \$16,000,000 in variable rate Economic Development Revenue Bonds (conduit debt obligations) on behalf of the Sandy Spring Friends School. The bonds are secured by the facilities financed and are payable from the revenues of monies to be received by the County under loan agreements with the facility users and from other monies made available to the County for such purpose. The bonds do not constitute a debt or charge against the general credit or taxing powers of the County, the State, or any political subdivision thereof.

**D) Joint Ventures**

The Primary Government participates in six joint ventures which are not included as part of the reporting entity. The Primary Government does not have a separable financial interest in any of the joint ventures. Therefore, no "Investment in Joint Ventures" is included in the accompanying financial statements. Audited financial statements are available from each of the six organizations. A general description of each joint venture follows:

**Maryland-National Capital Park and Planning Commission (M-NCPPC)**

M-NCPPC is a body corporate of the State of Maryland established by the Maryland General Assembly in 1927. M-NCPPC is a bi-county agency. The Board of Commissioners consists of ten members, five each from Montgomery and Prince George's Counties. The Montgomery County members are appointed by the County Council with the approval of the County Executive. The counties' oversight of M-NCPPC also includes budget approval over their respective shares of the operating and capital budgets. Each county is also required by law to guarantee the general obligation bonds of M-NCPPC issued for its jurisdiction.

At June 30, 2004, M-NCPPC had outstanding notes payable and bonds payable in the amount of \$172,628,885, of which \$10,063,250 was self-supporting. Of the total amount payable, \$13,829,745 represented debt due within one year. Generally, debt of M-NCPPC is payable from its resources; however, the participating counties must guarantee payment of interest and principal on the debt that is not self-supporting. Montgomery County's contingent liability for non self-supporting M-NCPPC debt at June

30, 2004, is \$36,925,635, which represents general obligation bonds outstanding for the Montgomery County jurisdiction at year-end.

#### **Washington Suburban Sanitary Commission (WSSC)**

WSSC is a bi-county instrumentality of the State of Maryland created to provide water supply and sewage disposal services for Montgomery and Prince George's Counties. The two participating counties share equal control over WSSC in the selection of the six-member governing body, budgeting authority, and financing responsibility.

At June 30, 2004, WSSC had outstanding notes payable and bonds payable in the amount of \$1,465,114,838, of which \$1,460,574,838 was self-supporting. Of the total amount payable, \$297,600,000 represented debt due within one year. Pursuant to Section 4-101 of Article 29 of the Annotated Code of Maryland, the County must guarantee payment of principal and interest on WSSC bonds, unless WSSC waives such guarantee requirement in accordance with Section 4-103 of Article 29. WSSC has waived such guarantee requirement with respect to all outstanding WSSC bonds. At June 30, 2004, all WSSC debt relating to the County is self-supporting.

#### **Washington Suburban Transit Commission (WSTC)**

The Washington Suburban Transit District (WSTD), encompassing Prince George's and Montgomery Counties, Maryland, was chartered by the State of Maryland in 1965 to, among other things, coordinate and participate in the formulation of the transit plan of the Washington Metropolitan Area Transit Authority for WSTD. The WSTD is governed by the WSTC, which is composed of three representatives each from Prince George's and Montgomery Counties and one representative from the Maryland Department of Transportation. One commissioner from each county is appointed by the Governor of the State of Maryland, and the other two commissioners are appointed by the chief executive officer of the organizations they represent. The two participating counties have equal budgetary authority and financial responsibility for WSTC; however, both are required to act in consultation with the State Department of Transportation. WSTC's liabilities are limited to funds payable from the participating counties and the State under outstanding grant agreements and State legislation. Montgomery County made an operating contribution totaling \$79,474 to WSTC during FY04. The FY04 WSTC Annual Financial Report was not available when this report was published.

#### **Washington Metropolitan Area Transit Authority (WMATA)**

WMATA was created in 1967 by interstate compact among the states of Maryland and Virginia and the District of Columbia. WMATA's primary function is to plan, construct, finance, and operate transit facilities serving the Washington metropolitan area. The governing authority of WMATA is a twelve-member Board of Directors. Maryland, Virginia, and the District of Columbia each appoint four directors. Of Maryland's four directors, two are appointed by the Governor of the State of Maryland, and one each is appointed by the respective county from among its appointees to WSTC. Since WSTC is a joint venture of Montgomery and Prince George's Counties, Montgomery County participates in WMATA through WSTC.

Montgomery County is committed to participation in WMATA and its regional Metro Rapid Rail and Metro Bus programs. Pursuant to Section 87-13 of the County Code, the County guarantees its obligations imposed on WSTD by contracts or agreements with WMATA. As a result of State legislation, the State of Maryland is required to fund 100 percent of the County's share of rail and bus operating expenses. In addition, the State is required to fund 100 percent of the annual debt service on revenue bonds issued by

WMATA in connection with the construction of the Metro Rapid Rail System. The County's share of the cost of construction of the Metro Rapid Rail System has been totally assumed by the State. In addition, State legislation mandates, effective in FY00, that the State provides 100 percent of the County's share of WMATA capital equipment replacement costs.

Under State statutes, the State of Maryland is required to cover its related 100 percent of the combined operating deficit of WMATA and County Ride-On operations assuming that 40 percent (effective in FY01) of gross operating costs are recovered by revenues. The 40 percent criteria will revert to 50 percent effective in FY05 unless permanently set at 40 percent by the State legislature prior to FY05.

A summary reflecting WMATA's expenditures incurred for the County's share of WMATA's activities for FY04, which are fully funded by the State and not reflected in the accompanying financial statements, is as follows:

Bus operating subsidy	\$ 31,233,519
Rail operating subsidy	25,311,258
Americans with Disabilities Act service	12,306,000
Metrobus and Metrorail capital replacement	24,940,393
Debt service on WMATA revenue bonds	4,867,500
Local bus program	20,924,042
Total	<u>\$119,582,712</u>

At June 30, 2004, WMATA had outstanding debt of \$251,131,000, of which \$21,890,000 represented debt due within one year. All of this debt is payable from resources of WMATA.

#### **Metropolitan Washington Council of Governments (COG)**

COG is a multi-governmental regional planning organization in which local governments unite to solve regional problems. The County is a participant in COG along with other Washington metropolitan area governments. The governing body of COG is a Board of Directors. Each participating governmental unit is allotted a member or members on the Board in accordance with a specified population formula. Budgetary authority rests with the Board. Member dues finance approximately 11 percent of the total funding for COG, with state and Federal grants and private contributions providing the remainder. COG does not utilize debt financing. As a participating government in COG, the County paid FY04 membership dues and fees for services amounting to \$660,162.

#### **Northeast Maryland Waste Disposal Authority (NEMWDA)**

NEMWDA is a body politic and corporate and a public instrumentality of the State of Maryland. NEMWDA was established to assist the political subdivisions in the Northeast Maryland Region and the private sector in waste management and the development of waste disposal facilities adequate to accommodate the region's requirements for disposal of solid waste. NEMWDA has the following seven member jurisdictions from the State of Maryland: Montgomery County, Baltimore County, Anne Arundel County, Harford County, Howard County, Carroll County, and City of Baltimore. The Maryland Environmental Service is an ex-officio member.

NEMWDA issued bonds in 1993 to fund the construction of the Montgomery County Resource Recovery Project (Project). In April 2003, NEMWDA refinanced \$205,078,908 of the 1993 bonds. At June 30, 2004, NEMWDA had outstanding bonds payable in the amount of \$286,710,000, of which \$18,100,000 represented debt due within one year. Of these amounts, \$266,985,000 related to the Project, \$14,675,000

of which represented debt due within one year. These bonds are limited obligations of NEMWDA, payable solely from the Project revenues and other sources. Since the Project is owned and operated by NEMWDA, the bonds and related activities are included in the financial statements of NEMWDA.

This Project became operational in August 1995. NEMWDA has entered into a service contract with the County under which the County pays a waste disposal fee calculated in accordance with the agreement. The waste disposal fee is comprised of an amount equal to debt service, facility fees, alternative disposal costs, NEMWDA administrative costs, operating costs, and NEMWDA component revenue. Waste disposal fee expense incurred by the Solid Waste Activities Enterprise Fund during FY04 amounted to \$43,270,468.

**E) Employee Benefits**

**1) Deferred Compensation**

Employees of the County may participate in the Montgomery County Deferred Compensation Plan (the Plan). The purpose of the Plan is to extend to employees a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code of 1986, as amended. During FY99, in accordance with Federal legislation, the assets of the Plan were placed in trust for the sole benefit of participants and their beneficiaries. Trust responsibilities were assigned to the Board of Investment Trustees (Board). The Plan therefore is accounted for and included in the accompanying financial statements as a pension and other employee benefit trust fund. Under the Plan, contributions are sent to contracted investment vendors for different types of investments as selected by participants. A separate account, which reflects the monies deferred, the investment of the monies, and related investment earnings, is maintained for each participant. Withdrawals are made upon retirement, termination of employment, death, and/or in unforeseeable emergencies. Administrative expenses, which are not significant to the Plan, have been paid by the General Fund.

Legislation is pending with the County Council that, if enacted, would allow the County to sponsor one or more additional deferred compensation plans for employees covered by a collective bargaining agreement. Under the proposed legislation, the Board, Chief Administrative Officer, and the County will have no fiduciary or other responsibility for a collectively bargained plan except as required by federal law and any related regulations. Should such legislation pass as currently written, and should such plans be established, it is anticipated that such proposed new plans would not be included in the County's financial statements. The amount of assets currently included in the accompanying financial statements that may be transferred to such plans is not readily determinable.

**2) Annual, Sick Leave, and Other Compensated Absences**

Employees of the County earn annual, compensatory, and sick leave in varying amounts. Employees who are part of the County Management Leadership Service and participate in the Retirement Savings Plan earn only Paid Time Off (PTO) leave. In the event of termination, employees are reimbursed for accumulated annual, PTO (where applicable), and compensatory leave (up to a limit if applicable). Under the Employees' Retirement System of Montgomery County, covered employees are given credited service toward retirement benefits for accumulated sick leave at retirement. Earned but unused annual, PTO, and compensatory leave is accounted for in the proprietary funds as a liability. The liability for unused annual, PTO, and compensatory leave payable from governmental fund types is reflected only at the government-wide level because it will be paid from future periods' resources. Liabilities for compensated absences have not been recorded in governmental funds since the portion expected to be liquidated with expendable available financial resources has been determined to be



immaterial. Sick leave earned but not taken by June 30, 2004, totaling 4,933,895 hours approximates \$163,528,706 based on the salary scale in effect at that date. Earned but unused sick leave is not recorded as a liability because upon termination, sick leave is not paid. Sick leave is paid only in the event of employee illness, at which time the payments will be made from current resources.

### **3) Group Insurance Benefits**

The County provides comprehensive group insurance programs to its employees. These benefits include, but are not limited to, medical, dental, and vision benefits, long-term disability, term life, and accidental death and dismemberment insurance. The cost of each insurance program is shared between the employer and the employees. During FY04, the County and its employees contributed \$56,377,028 and \$15,476,693, respectively. Employees of MCRA, HOC, and BUPI participate in the comprehensive insurance program of the County. Employer contributions totaled \$316,978, \$2,035,860, and \$39,423 for these component units, respectively, for FY04.

### **4) Postemployment Benefits**

In addition to the pension benefits described in Note IV-F, the County, by authority of various Montgomery County Council resolutions, provides certain postemployment health and life insurance benefits to all employees who retire under the Employees' Retirement System and the Employees' Retirement Savings Plan. Prior to 1987, the County plan offered retirees the opportunity to contribute 20 percent toward the cost of group insurance benefits, with the County contributing 80 percent of the cost. Under this arrangement, the County contribution continues for a length of time equal to the time the retiree was eligible for group insurance with the County. After that, the individual is required to pay the full cost of the insurance. All employees hired after January 1, 1987, are covered by a different cost sharing arrangement. Under this plan, the County's contribution to group insurance ranges from 50 percent to 70 percent depending on the employees' years of eligibility under the County's group insurance program. Under this arrangement, employees have a lifetime insurance cost share. Currently, 4,105 retirees meet those eligibility requirements for postemployment benefits. Postemployment benefits, accounted for in the Employee Health Benefits Self-Insurance Internal Service Fund, are funded by an appropriation in a non-departmental account of the General Fund, dividends, and pre-funded contributions from active employees. Expenses are recognized as retirees report claims, with an amount included to provide for incurred but not reported claims. The employer contributions were \$17,763,240 for FY04; retired employee contributions were \$8,621,473.

Under Section 21-21 of the Montgomery County Code, the County has established a Length of Service Award Program (LOSAP) for the County's fire and rescue department volunteers who meet certain age and service criteria. Benefit expenditures amounting to \$806,406 in FY04 also include disability and survivor annuities and lump-sum death benefits, and are reported in the Fire Tax District Special Revenue Fund on a "pay-as-you-go" basis. There were 318 recipients comprising former volunteers and their beneficiaries at the end of FY04.

## **F) Pension Plan Obligations**

### **1) Defined Benefit Pension Plan**

**Plan Description** - The Employees' Retirement System of Montgomery County (System) is a cost-sharing multiple-employer defined benefit pension plan sponsored by the County. Other agencies and political subdivisions have the right to elect participation.

The Board of Investment Trustees (Board) has the exclusive authority to manage the assets of the System. The Board consists of nine trustees and functions as part of the County. A publicly available annual report that includes financial statements and required supplementary information for the System, the Defined Contribution Plan (see Note IV-F2), and the Deferred Compensation Plan (see Note IV-E1), can be obtained by writing the Board of Investment Trustees, Montgomery County Government, 11 N. Washington Street, Rockville, Maryland 20850.

This Plan is closed to employees hired on or after October 1, 1994, except public safety bargaining unit employees. Substantially all employees hired prior to October 1, 1994, of the County, MCRA, HOC, the independent fire/rescue corporations, the Town of Chevy Chase, the Strathmore Hall Foundation, Inc., WSTC, certain employees of the State Department of Assessments and Taxation, and the District Court of Maryland are provided retirement benefits under the System. The System, established under Section 33 of Montgomery County Code, 2001, as amended, is a contributory plan with employees contributing a percentage of their base annual salary, depending on their group classification which determines retirement eligibility.

Benefit provisions are established under the Montgomery County Code beginning with Section 33-35. All benefits vest at five years of service. There are different retirement groups and retirement membership classes within the System. Members enrolled before July 1, 1978, belong to either the optional non-integrated group or the optional integrated group. Members enrolled on or after July 1, 1978, belong to the mandatory integrated group. Within the groups are different retirement membership classes. The retirement class assigned depends upon the job classification of the member (i.e., non public safety, police, fire, sheriffs and correctional staff). Normal and early retirement eligibility, the formula for determining the amount of benefit, and the cost of living adjustment varies depending upon the retirement group and retirement membership class. Normal retirement is a percentage of earnings multiplied by years of credited service. Earnings for optional non-integrated group members and optional integrated group members is defined as the high 12 months and for mandatory integrated group members, the high 36 months. The percentage of earnings, the maximum years of credited service and the cost of living adjustment varies depending upon the retirement membership class and group.

Members who retire early receive normal retirement benefits reduced by a minimum of 2 percent to a maximum of 60 percent depending on the number of years early retirement precedes normal retirement. Disability benefits are contingent upon service-connected or nonservice-connected occurrences and total or partial permanent disablement. Death benefits are contingent upon service-connected or nonservice-connected occurrences. Effective July 1, 1989, when a member terminates employment before his retirement date and after completion of five years of credited service, he may elect to leave his member contributions in the System and receive a pension upon reaching his normal retirement date, based on the amount of his normal retirement pension that has accrued to the date of termination. Vested benefits and eligibility requirements are described under Section 33-45 of the Montgomery County Code of 2001, as amended. A member who terminates employment prior to five years of credited service is refunded his accumulated contributions with interest.

Deferred Retirement Option (DROP) Plans, established in FY00, allow any employee who is a member of a specified membership class or bargaining unit, and who meets certain eligibility requirements, to elect to “retire” but continue to work for a specified time period, during which pension payments are deferred. When the member’s participation in the DROP Plan ends, the member must stop working for the County, draw a pension benefit based on the member’s credited service and earnings as of the date that the member began to participate in the DROP Plan, and receive the value of the DROP Plan payoff. During FY04, total disbursements under these DROP Plans amounted to \$6,801,289.

**Derivatives** - At June 30, 2004, direct investments in derivatives represented 1 percent of the total fair value of the System’s portfolio. In addition, the System has indirect exposure to market and credit risk through its ownership interests in certain mutual funds which hold derivative financial instruments.

**Concentrations** - The System does not have any investments (other than U.S. Government and U.S. Government guaranteed obligations) in any one organization that represent 5 percent or more of net assets held in trust for pension benefits.

**Funding Policy** - Required employee contribution rates varying from 4 to 8.5 percent of regular earnings are fixed and specified under Section 33-39 (a) of the Montgomery County Code of 2001, as amended. The County and each participating agency are required to contribute the remaining amounts necessary to fund the System, using the actuarial basis as specified in Section 33-40 of the Montgomery County Code of 2001, as amended. Under the current procedures, an actuarial valuation is performed to determine the employer contribution rate for the System. The contribution rate developed is a percentage of active member payroll. The dollar amount of each year’s employer contribution is determined by applying the contribution rate to the actual payroll for each year. Funding of the System during the period is the sum of the normal costs and amortization of the unfunded accrued liability over a forty-year period.

**Annual Pension Cost and Net Pension Obligation** - The annual required contributions (ARC) for FY04 were based on an actuarial valuation as of June 30, 2002, the latest valuation available on the date the County Council was required to approve the appropriation resolution. The ARC, or annual pension cost (APC), were the same as contributions actually made. The APC and the net pension obligation (NPO) of the County and the participating agencies and political subdivisions for FY04 were as follows:

Fiscal Year	APC	Percentage of APC			
		Contributed			NPO
2002	\$ 39,168,622	100	%	\$	-
2003	55,205,855	100			-
2004	61,927,029	100			-

**Allocated Insurance Contract** - On August 1, 1986, the County entered into an agreement with Aetna Life Insurance Company (Aetna) wherein Aetna accepted future responsibility for monthly payments to all members retired prior to January 1, 1986, in exchange for a lump sum payment. The County is liable for cost of living increases effective January 1, 1986, and later. The transactions related to this agreement have not been recognized in the System’s financial statements.

## 2) **Defined Contribution Plan**

**Plan Description** - Employees' Retirement Savings Plan (Plan) is a cost-sharing multiple-employer defined contribution plan established by the County under Section 33-114 of the County Code. Other agencies or political subdivisions have the right to elect participation. All non-public safety and certain public safety employees not represented by a collective bargaining agreement and hired on or after October 1, 1994, are covered under this Plan. In addition to the County, other participant agencies include MCRA, HOC, the independent fire/rescue corporations, the Town of Chevy Chase, the Strathmore Hall Foundation, Inc., and WSTC. Employees covered under the defined benefit plan may make an irrevocable decision to move into this Plan, provided they are unrepresented employees, or represented by a collective bargaining agreement that allows for participation in this Plan.

Under this Plan, employees contribute 3 percent of regular earnings up to Social Security wage base and 6 percent above Social Security wage base. The employer contributes 6 percent and 10 percent of regular earnings for non-public safety and public safety employees, respectively. The employee and employer contribution rates are established under Section 33-116 and 33-117 of the County Code, respectively. Employee contributions are always vested under this Plan and employer contributions are vested after 3 years of service or upon death, disability, or retirement age of the employee. Members are fully vested upon reaching normal retirement age (62) regardless of years of service. At separation, a participant's benefit is determined based upon the account balance which includes contributions and investment gains or losses. The Board of Investment Trustees monitors the Plan and offers investment options to the participating employees. Required employer and employee contributions to this Plan for FY04 were \$7,668,353 and \$4,208,196, respectively. In accordance with IRS 457 regulations, and the County Code, \$1,200,000 in accumulated revenue was used to reduce employer contributions to \$6,468,353 for FY04.

## 3) **Other**

The County contributed \$733,345 during FY04 for pension costs for a limited number of employees/retirees who elected to remain in the State plan. This amount includes the current service costs plus an amount sufficient to amortize the prior service cost over a forty-year period ending June 30, 2020.

**APPENDIX C**

**DRAFT APPROVING OPINION OF BOND COUNSEL**

*(This page has been left blank intentionally.)*

**(Letterhead of Venable LLP)**

(Closing Date)

County Executive and County Council for  
Montgomery County, Maryland  
Rockville, Maryland

Ladies and Gentlemen:

We have acted as bond counsel to Montgomery County, Maryland (the "County") in connection with the issuance of its \$200,000,000 Montgomery County, Maryland Consolidated Public Improvement Bonds of 2005, Series A (the "Bonds"). In such capacity, we have examined such laws and such certified proceedings and other documents as we have deemed necessary to render this opinion.

The Bonds are issued under the provisions of the Montgomery County Charter (the "Charter") and Chapter 9 of the Laws of Montgomery County 1955, as amended, Chapter 22 of the Laws of Montgomery County 2000, Chapter 17 of the Laws of Montgomery County 2001, and Chapter 21 of the Laws of Montgomery County 2002 (the "Acts"). The Bonds are consolidated pursuant to a Resolution of the County Council for Montgomery County, Maryland, adopted on July 27, 2004 (the "Resolution"), in accordance with the provisions of Section 2C of Article 31 of the Annotated Code of Maryland (2003 Replacement Volume and 2004 Cumulative Supplement), and are authorized to be issued and awarded by Orders of the County Executive of the County passed as of May 15, 2005 (the "Orders"). The terms of the Bonds are as set forth in the Bonds, the Acts, the Resolution and the Orders.

This opinion is given as of the date hereof and we assume no obligation to update or supplement this opinion to reflect any facts or circumstances that may hereafter come to our attention or any change in law that may hereafter occur.

As to questions of fact material to our opinion, without undertaking to verify the same by independent investigation, we have relied upon the certified proceedings of the County and certifications by public officials.

We do not express any opinion herein regarding any law other than the law of the State of Maryland and the federal law of the United States of America.

We express no opinion as to the accuracy, adequacy or completeness of the Official Statement relating to the Bonds.

Based on the foregoing, it is our opinion that, under existing law:

(a) The Bonds have been duly authorized and legally issued in accordance with the Constitution and Public Laws of the State of Maryland, the Charter, the Acts, the Resolution and the Orders.

(b) The Bonds are valid and legally binding general obligations of the County to which its full faith and credit are pledged, and for the payment of which the County is empowered and directed to levy ad valorem taxes, without limitation of rate or amount, upon all real, tangible personal and certain intangible property subject to taxation by the County.

(c) To provide for the payment of the principal of and interest on the Bonds, the County, by adoption of the Acts and passage of the Orders, has covenanted to levy said ad valorem taxes in each fiscal year in which provision must be made for the payment of such principal and interest.

(d) Under existing law, the interest on the Bonds (i) is excludable from gross income for Federal income tax purposes, and (ii) is not an enumerated preference or adjustment for purposes of the Federal alternative minimum tax imposed on individuals and corporations; however, such interest will be taken into account in determining adjusted current earnings for the purpose of computing the alternative minimum tax imposed on corporations, and may be subject to the branch profits tax imposed on foreign corporations engaged in a trade or business in the United States.

In rendering the opinion expressed above in this paragraph (d), we have assumed continuing compliance with the covenants and agreements set forth in the Tax Certificate and Compliance Agreement of even date herewith executed and delivered by the County (the "Tax Agreement"), which covenants and agreements are designed to satisfy the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), and the income tax regulations issued thereunder (the "Regulations") that must be satisfied subsequent to the issuance of the Bonds in order that the interest thereon be, or continue to be, excluded from gross income for federal tax purposes. In our opinion, the covenants and agreements in the Tax Agreement are sufficient to meet such requirements (to the extent applicable to the Bonds) of the Code and Regulations. However, we assume no responsibility for, and will not monitor, compliance with the covenants and agreements in the Tax Agreement. In the event of noncompliance with such covenants and agreements, the available enforcement remedies may be limited by applicable provisions of law and, therefore, may not be adequate to prevent interest on the Bonds from becoming includible in gross income for Federal income tax purposes, retroactive to the date of issuance of the Bonds.

(e) Under existing law of the State of Maryland, the interest on the Bonds and profit realized from the sale or exchange of the Bonds is exempt from income taxation by the State of Maryland or by any of its political subdivisions; however, the law of the State of Maryland does not expressly refer to, and no opinion is expressed concerning, estate or inheritance taxes, or any other taxes not levied directly on the Bonds or the interest thereon.

Other than as set forth in the preceding paragraphs (d) and (e), we express no opinion regarding the federal or state income tax consequences arising with respect to the Bonds.

It is to be understood that the rights of the owners of the Bonds and the enforceability of the Bonds may be limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights generally and by equitable principles, whether considered at law or in equity.

Very truly yours,

[to be signed "Venable LLP"]



**APPENDIX D**

**PROPOSED FORM OF  
CONTINUING DISCLOSURE AGREEMENT**

*(This page has been left blank intentionally.)*

## CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement dated as of [closing date] (the “Disclosure Agreement”) is executed and delivered by MONTGOMERY COUNTY, MARYLAND (the “County”) in connection with the issuance of its \$200,000,000 Montgomery County, Maryland Consolidated Public Improvement Bonds of 2005, Series A (the “Bonds”). The County, intending to be legally bound hereby and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby covenant and agree as follows:

SECTION 1. *Purpose of the Disclosure Agreement.* This Disclosure Agreement is being executed and delivered by the County for the benefit of the owners of the Bonds, including beneficial owners, and in order to assist the Participating Underwriters in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). The County’s obligations hereunder shall be limited to those required by written undertaking pursuant to the Rule.

SECTION 2. *Definitions.* In addition to the definitions set forth above, which apply to any capitalized term used in this Disclosure Agreement, the following capitalized terms shall have the following meanings:

“MSRB” shall mean the Municipal Securities Rulemaking Board, or any successor organization. The current address of the MSRB is:

MUNICIPAL SECURITIES RULEMAKING BOARD  
Continuing Disclosure Information System  
1640 King Street, Suite 300  
Alexandria, Virginia 22314-2719  
(202) 223-9503 (phone)  
(703) 683-1930 (fax)

“National Repository” shall mean any Nationally Recognized Municipal Securities Information Repository recognized by the Securities and Exchange Commission for purposes of the Rule. Currently, the following are National Repositories:

BLOOMBERG MUNICIPAL REPOSITORY  
Attn: Municipal Dept.  
100 Business Park Drive  
Skillman, NJ 08558  
(609) 279-3225 (phone)  
(609) 279-5962 (fax)  
E-mail: [Munis@Bloomberg.com](mailto:Munis@Bloomberg.com)

DPC DATA, INC.  
One Executive Drive  
Fort Lee, NJ 07024  
(201) 346-0701 (phone)  
(201) 947-0107 (fax)  
E-mail: [nrmsir@dpdata.com](mailto:nrmsir@dpdata.com)

FT INTERACTIVE DATA  
Attn: NRMSIR  
100 William Street  
New York, NY 10038  
(212) 771-6999 (phone)  
(212) 771-7390 (fax)  
E-mail: [NRMSIR@FTID.com](mailto:NRMSIR@FTID.com)

STANDARD & POOR’S J.J. KENNY  
REPOSITORY  
55 Water Street  
45th Floor  
New York, NY 10041  
(212) 438-4595 (phone)  
(212) 438-3975 (fax)  
E-mail: [nrmsir\\_repository@sandp.com](mailto:nrmsir_repository@sandp.com)

“Participating Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Reportable Event” shall mean any of the events listed in Section 4a. of this Disclosure Agreement.

“Repository” shall mean each National Repository and the State Depository.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time, any successor provisions of similar import promulgated by the Securities and Exchange Commission in the future, and any applicable no-action letters and other authoritative interpretations of Rule 15c2-12 released by the Securities and Exchange Commission including, by way of example, the staff guidance dated June 23, 1995 to the National Association of Bond Lawyers (“NABL”) from Robert L. D. Colby, Deputy Director, and the staff guidance dated September 19, 1995, to NABL from Catherine McGuire, Chief Counsel.

“State Depository” shall mean any public or private repository or entity designated by the State of Maryland as a state information depository for purposes of the Rule. As of the date of this Disclosure Agreement, there is no State Depository.

### SECTION 3. *Provision of Annual Financial Information, Operating Data and Audited Information.*

a. The County shall provide to each Repository, the following annual financial information and operating data, such information and data to be updated as of the end of the preceding fiscal year and made available within 275 days after the end of the fiscal year, commencing with the fiscal year ending June 30, 2005:

(i) Statement of Direct and Overlapping Debt; (ii) General Bonded Debt Ratios; (iii) Assessed Value of All Taxable Property By Class; (iv) Property Tax Levies and Collections; (v) Property Tax Rates and Tax Levies, By Purpose, and (vi) Schedule of General Fund Revenues, Expenditures and Transfers In (Out).

b. The County shall provide to each Repository annual audited financial statements for the County, such information to be made available within 275 days after the end of the County’s fiscal year, commencing with the fiscal year ending June 30, 2005, unless the audited financial statements are not available on or before such date, in which event said financial statements will be provided promptly when and if available. In the event that audited financial statements are not available within 275 days after the end of the County’s fiscal year (commencing with the fiscal year ending June 30, 2005), the County will provide unaudited financial statements within such time period.

c. The presentation of the financial information referred to in paragraph a. and in paragraph b. shall be made in accordance with the same accounting principles as utilized in connection with the presentation of applicable comparable financial information included in the final official statement for the Bonds.

d. If the County is unable to provide the annual financial information and operating data within the applicable time periods specified in a. and b. above, the County shall send in a timely manner a notice of such failure to each National Repository or to the MSRB and to the State Depository.

e. The County hereby represents and warrants that it has not failed to comply with any prior disclosure undertaking made pursuant to the Rule.

### SECTION 4. *Reporting of Significant Events.*

a. This Section 4 shall govern the giving of notices of the occurrence of any of the following Reportable Events with respect to the Bonds, each of which shall constitute a Reportable Event for purposes hereof:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;

- (6) Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) Modifications to rights of owners of the Bonds;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Bonds; or
- (11) Rating changes.

b. Whenever the County obtains knowledge of the occurrence of a Reportable Event, the County shall as soon as possible determine if such event would constitute material information for owners of Bonds, in accordance with the applicable “materiality” standard under then-current securities laws.

c. If the County has determined that a Reportable Event is material, the County shall file in a timely manner a notice of such occurrence with the National Repositories or the MSRB and the State Depository.

SECTION 5. *Termination of Reporting Obligations.* The County’s obligations under this Disclosure Agreement shall terminate upon the payment in full of all of the Bonds either at their maturity or by early redemption. In addition, the County may terminate its obligations under this Disclosure Agreement if and when the County no longer remains an obligated person with respect to the Bonds within the meaning of the Rule.

#### SECTION 6. *Amendments.*

a. The County may provide further or additional assurances that will become part of the County’s obligations under this Disclosure Agreement. In addition, this Disclosure Agreement may be amended by the County in its discretion, provided that:

- (1) the amendment is being made in connection with a change of circumstances that arises from a change in legal requirements, change in law, change in the identity, nature or status of the County as the obligated person with respect to the Bonds, or type of business conducted by the County;
- (2) this Disclosure Agreement, as amended, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
- (3) the amendment does not materially impair the interests of owners of the Bonds, including beneficial owners, as determined by bond counsel selected by the County or by an approving vote of at least 25% of the outstanding principal amount of the Bonds.

b. The reasons for the County agreeing to provide any further or additional assurances or for any amendment and the impact of the change in the type of financial information or operating data being provided will be explained in narrative form in information provided with the annual financial information containing the additional or amended financial information or operating data.

SECTION 7. *Additional Information.* Nothing in this Disclosure Agreement shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Agreement or any other means of communication, or including disclaimers or any other information in any disclosure made pursuant to Section 3a. or 3b. hereof or notice of occurrence of a Reportable Event, in addition to that which is required by this Disclosure Agreement. If the County chooses to include any information in any disclosure made pursuant to Section 3a. or 3b. hereof or notice of occurrence of a Reportable Event in addition to that which is specifically required by this Disclosure Agreement, the County shall have no obligation under this Disclosure Agreement to update such

information or include it in any future disclosure made pursuant to Section 3a. or 3b. hereof or notice of occurrence of a Reportable Event.

SECTION 8. *Limitation on Remedies and Forum.*

a. The County shall be given written notice at the address set forth below of any claimed failure by the County to perform its obligations under this Disclosure Agreement, and the County shall be given 15 days to remedy any such claimed failure. Any suit or other proceeding seeking further redress with regard to any such claimed failure by the County shall be limited to specific performance as the adequate and exclusive remedy available in connection with such action. Written notice to the County shall be given to Director of Finance, 15th Floor, Executive Office Building, 101 Monroe Street, Rockville, Maryland 20850, or at such alternate address as shall be specified by the County in disclosures made pursuant to Section 3a. or 3b. hereof or a notice of occurrence of a Reportable Event.

b. Any suit or proceeding seeking redress with regard to any claimed failure by the County to perform its obligations under this Disclosure Agreement must be filed in the Circuit Court for Montgomery County, Maryland.

SECTION 9. *Beneficiaries.* This Disclosure Agreement shall inure solely to the benefit of the owners from time to time of the Bonds, including beneficial owners, and shall create no rights in any other person or entity.

SECTION 10. *Relationship to Bonds.* This Disclosure Agreement constitutes an undertaking by the County that is independent of the County's obligations with respect to the Bonds. Any breach or default by the County under this Disclosure Agreement shall not constitute or give rise to a breach or default under the Bonds.

SECTION 11. *Severability.* In case any section or provision of this Disclosure Agreement or any covenant, stipulation, obligation, agreement, or action, or any part thereof, made, assumed, entered into or taken under this Disclosure Agreement, or any application thereof, is for any reason held to be illegal or invalid or is at any time inoperable, such illegality, invalidity or inoperability shall not affect the remainder thereof or any other section or provision of this Disclosure Agreement, or any other covenant, stipulation, obligation, agreement, act or action, or part thereof, made, assumed, entered into or taken under this Disclosure Agreement, which shall at the time be construed and enforced as if such illegal or invalid or inoperable portion were not contained therein.

SECTION 12. *Entire Agreement.* This Disclosure Agreement contains the entire agreement of the County with respect to the subject matter hereof and supersedes all prior arrangements and understandings with respect thereto; provided, however, that this Disclosure Agreement shall be interpreted and construed with reference to and in pari materia with the Rule.

SECTION 13. *Captions.* The captions or headings herein shall be solely for convenience of reference and shall in no way define, limit or describe the scope or intent of any provisions or sections hereof.

SECTION 14. *Governing Law.* This Disclosure Agreement and any claim made with respect to the performance by the County of its obligations hereunder shall be governed by, subject to and construed in accordance with the federal securities laws, where applicable, and the laws of the State of Maryland, without reference to the choice of law principles thereof.

IN WITNESS WHEREOF, the County has caused this Disclosure Agreement to be duly executed as of the day and year first above written.

MONTGOMERY COUNTY, MARYLAND

By: \_\_\_\_\_  
Director of Finance